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Current Topics.

The Opening of the Sittings.

THE LORD CHANCELLOR was in great form in Court of Appeal
No. 1 on the first day of the sittings. He had a somewhat
difficult task, for there happened to come up a matter relative
to a point of practice, on which two very learned and able Lords
Justices apparently took rather strong and divergent views,
and coming to their judicial duties invigorated by many
weeks' rest from controversy, they were spoiling for a—no,
we mean were righteously averse to giving up cherished
views. So at least it appeared to an observer. The arguments
were punctuated by dilemmas launched on either side of the
President, who sat amused, but unmoved, keenly interested
in the debate, collecting the facts with his usual acumen, and
delightfully perusing the authorities which were cited. The
Master of the Rolls preserved his usual air of patient and pains-
taking investigation. When counsel sat down, there ensued
what an irreverent spectator designated "a judicial tug of war,"
but which might more properly perhaps be likened to some of the
lively Cabinet Council debates described in Lord GRANVILLE's
Life. Long and earnest were the consultations on the bench,
first with one side and then with the other. The Lord Chancellor,
—whose rapid apprehension and firm decision makes him,
according to rumour, an invaluable member of a Cabinet—was
apparently indefatigable in his arguments and efforts to bring
about a conclusion, but the task was beyond even his power.
The clock slipped past the hour of four without any decision.
Lord HALSBURY's attendants, anxious about his non-appearance,
came to the end of the bench to see what was the matter, but
still the debate went on. Ultimately it was announced that the
court "would take time to consider."

Death or Incapacity of Arbitrator.

WE READ that it is possible that the final hearing of the Tanjong
Pagar Arbitration will be transferred from Singapore to London,
as Sir MICHAEL-HICKS BEACH, who has been indisposed, may not
be well enough to take his part in it. This arbitration is, we
believe, to settle the amount of the purchase-money payable by
the government of the colony for a dock which is to be trans-
ferred to them by the proprietors. Arbitrations are often tedious
and expensive, and there is occasionally the risk that the inquiry
may become abortive through the death or incapacity of the
arbitrator. A case of much intricacy and difficulty was, more
than thirty years ago, referred to Mr. BARSTOW, a well-known
member of the Western Circuit. Mr. BARSTOW took upon him-
self the burthen of the case, but, unhappily, fell ill just before
the inquiry was completed. The parties to the dispute waited
patiently for his recovery, but he never rallied, and died,
leaving his work uncompleted. Another arbitrator, Mr. CHARLES
POLLOCK, Q.C., was agreed upon. The case was recommenced
and had made good progress when Mr. POLLOCK was appointed
one of the Barons of the Exchequer, and gave notice to the
parties that he did not consider himself at liberty to proceed
with the case. In the result, a settlement was arranged, both

plaintiff and defendant regretting that this course had not been adopted at an earlier date. It might perhaps be arranged, upon a reference to arbitration, that if the arbitrator should die or become incapable of acting, the substituted arbitrator should take up the case where it left off, reading the notes of the evidence without any re-examination of the witnesses. We have, however, strong doubts as to whether this course would, in many cases, be acceptable to the parties to the reference.

Provision of Temporary Work for Unemployed Workmen.

The Unemployed Workmen Act, 1905, received the Royal Assent on the 11th of August last, and already complaints are heard of the delay in putting it into operation. Some explanation of this delay may be found in the previous history of the English poor law. The statute of Elizabeth, which is the basis of this law, only provided for the relief and maintenance of those who were unable by age or impotency to maintain themselves, and expressly enacted that those who were able to supply their wants by their labours should be furnished with employment suitable to their condition. It has, however, been the practice, notwithstanding these provisions, to relieve able-bodied paupers without setting them to work, the chief reason for this omission being the trouble and difficulty attendant upon superintendence on the part of the parish officers. If we turn to the Unemployed Workmen Act we find that a distress committee is to be appointed, who, if they are satisfied, in the case of applications from persons unemployed, that any such applicant is honestly desirous of obtaining work but is temporarily unable to do so from exceptional causes over which he has no control, and consider that his case is capable of more suitable treatment under the Act than under the poor law, may endeavour to find work for him, or if the case is one for treatment by the central body rather than by themselves, refer the case to the central body. This central body is empowered to assist the applicant by aiding his emigration or removal to another area or by providing him with temporary work. The expenses of the distress committee and of the central body are to be in part provided by contributions from each metropolitan borough in proportion to the rateable value. The question naturally arises, how will the difficulties which have already been experienced by the parish officers in providing and superintending work be overcome by those who are selected to execute the powers of the new Act? Of one thing we are certain, that if they are able to provide work for the unemployed, the ratepayers will become impatient of a system which allows able-bodied paupers to be maintained without setting them to work.

The Crime of Murder.

THERE ARE many points on which the existing law as to murder is extremely distasteful to almost every person who has considered it. One of these is the accepted principle that where two persons mutually agree to commit suicide and attempt to carry out their purpose, and one dies but the other recovers, the survivor is guilty of murder. A very painful case of this sort was recently tried at the Old Bailey. An aged man and his wife had fallen into dire misfortune, and the future looked so black and hopeless that they agreed to die together. They shared a bottle of poison, and the man died, but the woman was saved by medical treatment. This poor creature was convicted of murder, and rightly convicted as the law stands. The judge had no option but to direct the jury according to the law, and to pass the death sentence upon her. The dignity of the law is not properly regarded when a judge is obliged to engage in such a mockery. No one for a moment believes that the unfortunate woman will suffer the penalty of death, or even be punished with any substantial term of imprisonment. The public conscience recoils from any such punishment, and would not for a moment admit its possibility. The law on the subject is well established, but quite illogical and unreasonable. Suicide is regarded as murder, but the attempt to commit suicide is a very different offence from the attempt to commit the murder of another person. The latter offence is a felony punishable with penal servitude for life; the former is merely a misdemeanour, punishable at common law with fine or imprisonment, and for which the punishment

actually inflicted is usually very small and frequently nominal. In theory, however, there is no difference between the person who is accessory to another's self-murder and the person who is accessory to the murder of an unwilling third party. In each case the accessory is equally guilty of murder and liable to the death penalty. There are other cases also (some of which have been noticed from time to time in these columns) in which an act is considered murder in law but not in practice. One is the unintentional killing of a woman in the attempt to bring about a miscarriage. Of course in this case a serious crime is committed, but nothing is further from the intention of the offender than to hurt the woman in any way. Here again it is repugnant to public opinion to pass the death sentence or to regard the offence as murder. These anomalies can only be removed by legislation. It seems, however, quite hopeless to expect Parliament to trouble about any such non-party business. It is a year ago since the powerful commission which investigated the *Book case* strongly recommended certain changes in criminal procedure. It need hardly be said that no time was found amidst the strife of party to do a mere act of justice.

Solicitors for Trustees.

WE REGRET to find that a correspondent, whose views upon matters of professional practice are entitled to great respect, differs from the opinion we expressed last week as to the inconvenience of any rule prohibiting a solicitor from being, under special circumstances, nominated by a will to act for the executors and trustees. As to the impropriety, under ordinary circumstances, of such a nomination, we are entirely at one with our correspondent; and some of the reasons given for his views, and also the illustration with which he enforces them, apparently relate to a nomination under ordinary circumstances; and as to such a nomination they appear to be conclusive. What we, and our correspondent last week, ventured to submit was, that this excellent rule of practice had its limits, and that there were circumstances under which a solicitor might properly allow himself to be nominated in the will to act for the executors and trustees. We put the case of a testator who at his death had intricate negotiations pending, the threads of which were in the hands of a particular solicitor. As to this our correspondent has nothing to say. We also put the case of a testator who desired to appoint his two sons—at the date of the will comparatively young men, neither of them having as yet experience in affairs or business capacity—trustees of his will, and we asked why the testator should not be at liberty to direct that the solicitor he had employed for years should continue to act as solicitor to the trustees? Upon this our correspondent humorously assumes that we refer to the appointment of idiots or semi-idiots as trustees, and he says he cannot conceive a testator appointing two trustees [totally] without business capacity. Neither can we. But we can conceive, and have known, cases in which a testator has appointed as trustees two of his sons, hunting and sporting men, or young army men, capital fellows, but with as yet no experience in business matters. He appoints them because he desires to have as trustees members of his family, and he believes that with a few years' experience in the management of his estate they will acquire an aptitude for business matters. Has our correspondent never met with such a case as this, and has he always found trustees nominated by wills men experienced in affairs and of sound business capacity? But he says, why not in such a case appoint the solicitor a co-trustee and let him share the responsibility? Quite so, but there are two difficulties in the way; first, the testator does not want to appoint the solicitor as a trustee, and next, the solicitor does not want to urge the appointment of himself as a trustee, or to be appointed a trustee at all. Strange as it may seem to the Solicitor-General, there are many solicitors who, when asked as to trustees, habitually advise a testator to choose members of his own family for the office. Then, again, our correspondent suggests that when a testator desires a particular solicitor to be employed, he should exact from the trustees he intends to nominate a promise to employ such solicitor so long as the business is satisfactorily conducted. But does not our esteemed correspondent, in saying this, rather give away his case? If it is proper for a testator, in exceptional circumstances, to make his trustees promise to employ a particular solicitor, and

thereby bind them in honour to do so, how can it be improper for the testator to direct by his will, in like circumstances, that the solicitor shall be employed—such direction being, according to the existing law, a mere pious request?

Loss of Patents.

A CASE of some interest was recently decided by the Scotch Court of Session. The plaintiffs, a firm of engineers, brought their action against the defendants, who were chartered patent agents, for the loss of two patents for improvements in valves, which had been occasioned, as they alleged, by the failure of the defendants to notify them when the renewal fees were due. In consequence of this omission, the fees were not paid and the patents lapsed. The defendants pleaded, *inter alia*, that the letters patent were in fact invalid for want of novelty, and that the plaintiffs had sustained no loss through their being allowed to lapse. It was practically conceded that the defendants could not be allowed to prove the alleged invalidity of the patents merely for the purpose of reducing the damages, because it would be impossible to estimate the chances of the validity of the patents, if they had not lapsed, ever being challenged. The defendants, however, argued that if they could establish that the patents were invalid, the result would be to shew that the plaintiffs had not sustained any loss of which the law could take cognizance through the patents being allowed to lapse, because no one could lawfully make profit out of a patent for an invention which was not entitled to protection. The court, after carefully considering the English and Scottish authorities, came to the conclusion that the defence could not be maintained, upon the principle that a wrongdoer could not apportion or qualify his act by shewing a possibility of loss even if he had not failed in his duty. No one could say what the chances were that the patents would be challenged. A duty arose from the relation of mandatory or agent, and the defendant was liable in damages if he failed to perform it. It was not competent for him to say "It would have done you no good if I had performed my duty." We have no reason to doubt that a similar decision would have been given by the English courts, though we have been unable to find any case exactly in point. But the observations of TINDAL, C.J., in *Davis v. Garrett* (6 Bing. 716) have some bearing upon the matter: "No wrongdoer can be allowed to apportion or qualify his own wrong, and as a loss has actually happened whilst his wrongful act was in operation and force, and which is attributable to his wrongful act, he cannot set up as an answer to the action the bare possibility of a loss if his wrongful act had never been done."

Obstruction to a Public Way.

WE HAVE often wondered whether it is possible to frame a safe and intelligible definition of what constitutes an obstruction to the use of a public carriage-way or footway. In a crowded city like London obstruction of some sort is the rule rather than the exception. There is an obstruction when two persons walk arm in arm, or when a group of persons examine, in leisurely fashion, the objects exposed to view in a shop window. There are plenty of foot pavements in London so narrow that they can only accommodate a single pedestrian, and upon these footways we may often see two wayfarers in deep conversation, compelling anyone who wishes to pass them to go into the carriage road. One of the most recent recommendations of those who are interested in the traffic of London is that vans or waggons should not be allowed to unload goods in the main thoroughfares, and that the slow traffic should be compelled to pass close to the kerb. But we are very far from any such reform, and a case just heard by the justices at Stratford is not calculated to encourage those who are obliged to hurry on without loss of time. The defendant in this case was a carman who was driving a pantechicon van, and who pulled up outside a house in the main road and drew his vehicle across the road in such a position as to stop the tramway traffic. He then began to unload furniture from the van, and though requested by a police constable to move his van to a side street seventeen yards further on, he persistently refused and remained at the same spot for fifty minutes. During this time the whole of the tram

traffic was disorganized, and passengers had to leave the main road and to travel by the side streets in order to avoid the obstruction. In these circumstances we are rather surprised to read that the summons was dismissed, on the ground that the defendant did not stop an unreasonable time and that the tramway inspectors ought to have been prepared for such an emergency. But it does not appear that the tramway inspectors had received any notice that the van was likely to be kept standing in the carriage road for so long an interval. Could not some regulation be made by which those who intend to occupy the main thoroughfare for the best part of an hour should be compelled to give previous notice to the police authorities in order that the obstruction may cause as little inconvenience as possible?

The Position of the Lord Chancellor.

IN THE PAPER by Mr. R. J. SUGDEN, of Bradford, on "The Anomalous Position of the Lord Chancellor," which was read at the Leeds meeting of the Law Society, the author is able to justify his title by the competent authority of the late Mr. BAGEHOT. "The whole office of the Lord Chancellor is a heap of anomalies," wrote Mr. BAGEHOT in his *English Constitution*, and chief among the anomalies is the fact that, contrary to the fundamental theory of the constitution, he embodies in his own person the highest judicial with the most influential legislative and executive functions. "The Lord Chancellor"—to continue the quotation—"our chief judge, sits in the Cabinet and makes party speeches in the Lords. Lord LYNDHURST was a Tory politician, yet he presided in the O'CONNELL case. Lord WESTBURY was in chronic wrangle with the bishops, but he gave judgment upon 'Essays and Reviews.'" And yet the Constitution wears wonderfully well in spite of this infringement of its principles in the official person of the highest officer of state, next to the sovereign. The explanation is that the chancellors, as judges, have been found to be uninfluenced by political considerations, and, whatever be the theoretical anomaly, it has had no perceptible influence in practice. In the O'CONNELL case, to which Mr. BAGEHOT referred, Lord LYNDHURST began his judgment by observing that the judges had been consulted "in order to avoid all possible suspicion of political influence or bias" in the decision of the House of Lords, and though, adopting the opinion of the great majority of the judges, he formed one of the minority who were in favour of affirming O'CONNELL's conviction, yet he had Lord BROUGHAM on the same side. We gather, however, that Mr. SUGDEN's criticisms are levelled, not so much at the union in the Lord Chancellor of theoretically incongruous functions, but at the modern tendency to extend his influence in the management of official departments and to extend also his patronage. Moreover it has recently appeared that it is impossible to comment in the House of Commons on the mode in which he exercises his powers. We are, however, at present without any definite plan for reforming the Lord Chancellor's office, and we doubt whether such a plan is likely to be forthcoming. Mr. SUGDEN suggests that the Law Society should carefully scrutinize any proposed extension by legislative enactment of the Lord Chancellor's powers, and that measures should be taken to enlighten public opinion. The first point will doubtless be observed, but public opinion needs enlightenment in too many ways to be particularly helpful on the subject of the Lord Chancellor.

Roman-Dutch Law.

THE DEVELOPMENT of the South African Colonies has drawn attention to the need for the study of Roman-Dutch law, which prevails also in Ceylon and British Guiana. Altogether there are about ten million British subjects who live under a system largely based upon the Roman-Dutch law, though, in the case of natives, varied by local customs. One-tenth of that number are Europeans. They naturally have more concern with the laws by which they are governed, and that the administration of them should be carried out by men thoroughly qualified for their work. It is a remarkable fact that until the beginning of this year there had not been for nearly a century a chair of Roman-Dutch law at the University of Leyden, the home of GROTIUS, VAN LEEUWEN, VOET, and VAN DER KESSEL. A few months ago the authorities of the ancient university appointed Mr. MELIUS DE

VILLIERS, brother of Sir HENRY DE VILLIERS, and a former Chief Justice of the Orange Free State, to the revived Professorship. Immediately afterwards was made the announcement that the Senate of the London University had decided to found a similar chair at University College. The regulations of the four Inns of Court provide that a student may offer Roman-Dutch law in place of an examination in English Real and Personal Property, but there was no means of obtaining instruction in the subject. Now there is the opportunity. Professor MACKARNES recently delivered his inaugural lecture. A satisfactory scheme of study for students who desire to fit themselves for the practice of the law in the various parts of the British dominions must be left until the Inns of Court, the Law Society, and the London University are permitted to combine in the constitution of a school of law which shall provide an adequate and complete training for the members of the legal profession in a world-wide empire.

Extra-parochial Sunday Sports.

IN CONNECTION with the controversy on the British Sunday which has been for some time proceeding in the *Daily Telegraph*, it may be well to point out that "all meetings, assemblies or concourses of people out of their own parishes on the Lord's day within this realm of England or any the dominions thereof, for any sports or pastimes whatsoever" are contrary to the statute law, as very plainly expressed in 1 Car. 1, c. 1, a temporary Act made perpetual by 3 Car. 1, c. 5, and printed at length in the second edition of the Statutes Revised. The Act impliedly allows strictly parochial sports of a lawful kind, for besides prohibiting all extra-parochial sports of any kind, it prohibits "bear-baiting, bull-baiting, interludes, common plays, or other unlawful exercises or pastimes used by any person or persons within their own parishes." The penalties are plain. "Every person offending in any of the premises," it is said, "shall forfeit for every offence three shillings and four pence, the same to be employed and converted to the use of the poor of the parish where such offence shall be committed." Any justice of the peace, upon view or confession of the party, who finds "any person offending in the premises" "shall," it is added, "give warrant to the constables or churchwardens of the parish" to levy the penalty by distress and sale of the goods of the offender, who, in default of distress, is to be "set publicly in the stocks by the space of three hours." The Sunday Observance Acts of 1677 and 1781 have been subjected to restrictions, the first by the Sunday Observation Prosecution Act, 1871, and the second by the Remission of Penalties Act, 1875; but this Act of Charles the First, though unenforced, is beyond doubt enforceable at the present day.

Contracts of Apprenticeship.

QUESTIONS of some interest upon the law of contracts of apprenticeship appear to have been decided at Northwich a few days ago in an action by the master against the apprentice and his father. One point decided is said to have been that the indenture of apprenticeship was invalid as it was in a printed form. Assuming that the document was duly executed, we can see no force in this objection, and cannot imagine that it is of any consequence whether the indenture is printed or engrossed on parchment. The other point related to a covenant on the part of the apprentice that he would not marry during the term of his apprenticeship. This provision was held to be void. It has, no doubt, been held many years since that agreements in general restraint of marriage are illegal, but we are by no means convinced that an agreement restraining a youth from what is almost certain to be an improvident marriage would at the present day be held to be illegal by our Court of Appeal. Instances of agreements in partial restraint of marriage are not uncommon. We believe that some such provision was insisted upon by bank directors in the case of their clerks, and we have been told that it was a term of the agreement by which English governesses were employed in the British settlement at Yokohama that they should not contract marriage for a specified period after their arrival in the Far East.

Registration of Death.

A STORY, for the accuracy of which we cannot vouch, is told in the French newspapers of how a retired officer died recently

after having lived for some years separate from his wife, and she thereupon applied to the Government, as being the widow of an officer, for the appointment of manager of a kiosk. She then discovered that her husband, after leaving her, had cohabited with another woman, and upon the death of this woman had registered her death by the name and description of his real wife. The widow, therefore, found herself in the position of one who was officially declared to have ceased to exist, and it was necessary for her to establish by conclusive evidence that she was still alive and that the official entry of her death was untrue. We are inclined to think that a similar story is to be found in more than one novel, the writer apparently thinking that the entry on the register of the death of a particular person is, even in his absence, in the nature of a judicial decree which cannot be disputed. It is scarcely necessary to say that under no rational system of jurisprudence could this be the law.

Executors' Liability on Leases.

ONE of the most important questions which not infrequently arises in the administration of the estates of deceased persons is as to the executor's duty and liability in respect of the leasehold properties of his testator. One would have thought that the rules governing this question were pretty generally understood, but experience shews that this is not always the case, and it may be desirable, at the risk of repeating doctrines which will be trite to many of our readers, to state them.

To understand the executor's liability the nature of his testator's liability must be considered. Now, the testator's liability depends upon whether he is the original lessee or an assign of the term, and if only an assign, then upon whether he has entered into the usual covenants with his assignor to pay the rent and perform and observe the covenants in the lease.

If he is the original lessee, he can, of course, be sued on his covenants by his lessor, or under 32 Hen. 8, c. 34, or the Conveyancing Act, 1881, s. 10 (1), by his lessor's assign, during the whole term of the lease, and this liability cannot be determined by any assignment over of the lease: *Brett v. Cumberland* (Cro. Jac. 521 (2nd question)). If the testator was not the original lessee, but an assign of the legal term, he can be sued by the lessor on the covenants in the lease, on the ground of privity of estate, but this liability, depending on privity of estate, ceases, as regards liability for rent or breaches of covenant not arising during the assignee's occupation, on the assignment over of the legal term (*Pitcher v. Tovey*, 1 Salk. 81), and cannot be enforced against a person who is an assign in equity only and not at law (*Cox v. Bishop*, 8 D. G. M. & G. 815), though he is in actual occupation. Further, if the testator is an assign, he is liable to be sued by the original lessee, though not the testator's immediate assignor, on the ground that the testator is liable to indemnify the lessee against breaches of the covenants of the lease committed during the continuance of his interest (*Moule v. Garrett*, 5 Ex. 132), but this liability also ceases as regards future breaches on an assignment over (*Id.*, at p. 138), though, unlike the liability to the lessor, it arises if the assign is an assign in equity, though not of the legal term (*Close v. Wilberforce*, 1 Beav. 112), but not if he is a mere sub-lessee: *Bonner v. Tottenham, &c., Building Society* (1899, 1 Q. B. 161). In most cases, moreover, the testator, if an assign, will also be liable to be sued by his immediate assignor, or by any more remote assignor to whom the benefit of the covenant presently mentioned has been assigned (*Re Perkins*, 1898, 2 Ch. 182) under the covenant to pay the rent and perform and observe the covenants and indemnify his assignor against the same, into which the testator probably had to enter. This liability, resting as it does in covenant, cannot be extinguished except with the covenantor's consent.

Such then being an outline of the testator's liability at the time of his death, his executor's position must now be considered. The executor's liability is of two kinds—*i.e.*, his liability as executor to the extent of his testator's assets (*de bonis testatoris*) and his personal liability (*de bonis propriis*). An executor must either renounce or accept probate *in toto*, and, if he accepts, he cannot afterwards disclaim a lease as being onerous, but is liable as executor to the extent of his testator's

assets: see *Rubery v. Stevens* (4 B. & Ad. 244-7). Thus in an action brought against him on the covenants of the lease, whether his testator was the original lessee or only an assign, the executor's only defence is to plead *plene administravit*, and under that plea to shew that the land yields no profit and that he has no assets *aliunde*; but if the land yields a profit equal to the rent, he will fail on a plea of *plene administravit*, for he is bound to apply the profits of the land towards payment of the rent in the first instance, and his not doing so will be a *devastavit*; if, therefore, the land yield some profit, but less than the rent, it would seem that his plea should be *plene administravit propter the profit*: see 1 Wm. Saunders, 112 note (c) (5th ed.), quoted 4 B. & Ad., at p. 242. From this liability it is the executor's duty to attempt, so far as possible, to relieve his testator's estate. If, therefore, the lease, being onerous, cannot be sold, he ought, where the testator was an assign of the term and not the original lessee, to assign the lease to a pauper, and thus to determine his liability as executor to the lessor and original lessee (*Taylor v. Shum*, 1 B. & P. 21), though before doing so he would be well advised to state the facts to the lessor and offer to surrender the lease, though this is not now considered essential: *Hopkinson v. Lovering* (11 Q. B. D., at p. 97-8). Where the lease contains a covenant not to assign without the lessor's leave, this does not make an assignment void (*Paul v. Nurse*, 8 B. & C. 486), except where the lease is expressly made to determine on an assignment without leave, and though the lessor will have an action for damages against the original lessee, he cannot sue the assignor, when once the assignment over is completed, inasmuch as the privity of estate between them has ceased (*Paul v. Nurse*, *supra*); he might, however, obtain an injunction to prevent an assignment over: *McEacharn v. Colton* (1902, A. C. 104). If the testator was the original lessee, or if, being an assign, he had covenanted with his assignor in the usual way, an assignment over does not relieve him of his contractual liability to his lessor or assignor as the case may be. In these cases, therefore, an executor is in this difficulty, that, except where the case falls within the statutory provision presently to be mentioned, he has no defence to an action brought by the lessor or his testator's assignor, if, having had assets, he has distributed them. In cases, therefore, which do not fall within the statute, his proper course, if the liability is one of substance, is to apply to the court to have the estate administered, and the order of the court directing the administration and distribution of the assets is a complete and perfect indemnity to him: *Dodson v. Sammell* (1 Dr. & Sm. 577). The court will not, in administering an estate, carry over a fund to meet the liability on the covenants for the benefit of the lessor or testator's assignor, those persons having no right to demand it (*King v. Malcott*, 9 Hare 692), and the executor being sufficiently protected by the order of the court if the lease never vested in him (*Re Nixon*, 1904, 1 Ch. 638), or, if having vested, the court orders him to assign it to one of the beneficiaries: *Dodson v. Sammell* (*supra*).

In a large number of cases the difficulty is met by section 27 of Lord St. Leonard's Act (22 & 23 Vict. c. 35), which provides that where an executor, whether of the original lessee or of an assign of the lease only, assigns the lease to a purchaser, having satisfied all the liabilities up to the time of assignment, and having set apart a fund to answer any claim in respect of any fixed and ascertained sum covenanted by the lessee to be laid out on the property demised, he can distribute the residuary estate without making any further appropriation, and shall not be personally liable in respect of any subsequent claim under the lease, though the right of the lessor or those claiming under him to follow assets is not to be prejudiced. The effect is that where the executor sells the lease and otherwise complies with the section, he frees himself from the possibility of being successfully sued, though the lessor may follow the assets into the beneficiary's hands. In cases not falling within the section, as, for instance, where the lease has not been sold, but has been assigned to a beneficiary, or where the testator has assigned over the lease before his death, it may still be necessary for the executor to apply to the court for the protection of its administration order: see *Re Nixon* (*supra*).

The liability of the executor, which thus far has been discussed, is his liability *de bonis testatoris*, and in respect of rents actually received, but he may render himself liable *de bonis propriis*. Thus he becomes liable to be sued personally, as assign of the term, by the lessor or by the original lessee, when he enters and is in personal occupation of the term (*Rubery v. Stevens*, *supra*, at p. 245), but not before so doing (*Rendall v. Andrae*, 61 L. T., Q. B. 630), and he is only personally liable for what is called the "real value" of the land: *Re Bowes* (37 Ch. D., at p. 133-4). The test of the "real value" is, not what he actually receives, but what he ought to receive in respect of it (*Re Bowes*, *supra*, at p. 132-3); thus an executor has been held liable for what he might have received had he performed a covenant to repair and also for rent which a tenant was bound to pay, but, being insolvent, had failed to pay (*Hornidge v. Wilson*, 11 Ad. & E. 645), and if the premises are not let, he has been held liable for the amount for which he could have let them, though the only offer he had was less than the rent: *Re Bowes* (*supra*, at p. 133-4). He is, however, liable on the covenant to repair to the full extent, though he has gone out of personal occupation: *Tremere v. Morison* (1 Bing. N. C. 89). The fact that his testator's estate is being administered by the court does not affect the executor's personal liability if he goes into personal occupation: *Re Bowes* (*supra*, at p. 138); so also an executor *de son tort* may be sued personally if he goes into personal occupation: *Paull v. Simpson* (9 Q. B. Rep. 365).

A Reading of the New Statutes.

THE SHIPOWNERS' NEGLIGENCE (REMEDIES) ACT, 1905 (5 ED. 7, c. 10.)

This Act is intended to extend the remedies for personal injuries caused by or sustained on a ship when the ship is in a port or harbour of the United Kingdom, and it confers upon a judge of any court of record power, if the owners are not resident in the United Kingdom, to order the detention of the ship till satisfaction is made or security is given. The proceedings must be grounded upon an allegation that the owners of the ship are liable to pay damages for such injuries, including fatal injuries, and that the injuries are the consequence of the neglect of the owners, or the master, officer, or crew, or of some defect in the ship or her apparel or equipment. If at any time the ship is found in any port or river of England or Ireland, or within three miles of the coast, then upon such allegation, and upon its being shewn that the owners are probably liable to pay damages and that none of them are resident in the United Kingdom, the judge may issue an order to an officer of customs or other officer named by the judge requiring him to detain the ship until satisfaction is made in respect of the injuries, or until security, to be approved by the judge, is given to abide the event of an action, and to pay any costs and damages awarded. Under section 1 (4) an employer who has paid compensation under the Workmen's Compensation Act, 1897, and who has a *prima facie* claim to indemnity against the owners, can take advantage of the Act. It will be seen that the Act in effect gives a remedy *in rem* for personal injuries sustained in the manner specified, and it is a question whether it would not have been simpler to include such claims in the jurisdiction conferred by the County Courts Admiralty Jurisdiction Acts, 1868 and 1869, in which case, under section 3 of the Act of 1869, they could have been enforced by proceedings *in rem*—that is, by arresting the ship until bail is given. As it is, the Act gives a new statutory remedy *in rem* for injuries caused by or sustained on a ship in this country where the owners are resident abroad. The Act comes into operation on the 1st of January, 1906.

THE RAILWAY FIRES ACT, 1905 (5 ED. 7, c. 11).

The question of the liability of railway companies for damage through fire caused by sparks or cinders from their engines has been the subject of frequent litigation. It has hitherto been the law that, since the engines are used under statutory powers, the companies are not liable for damage unless negligence can be proved. At first the onus seems to have been placed on the companies to shew that they had adopted all reasonable means of preventing damage. "The evidence," said TINDAL, C.J., in *Piggott v. Great Eastern Counties Railway* (3 C. B. p. 240), "was abundantly sufficient to shew that the injury of which the plaintiff complains was caused by the emission of sparks or lighted coke, coming from one of the defendants' engines, and there was no proof of any precaution adopted by the company to avoid such a mischance"; and in *Fremantle v. London and North-Western Railway Co.* (2 F. & F., p. 340) it was said that the defendants were bound to

avail themselves of all the discoveries which science had put within their reach for the prevention of the mischief, "provided they were such as it was", under the circumstances, reasonable to require them to adopt." But this principle has perhaps not been strictly applied, and in *Earl of Shaftesbury v. London and South-Western Railway Co.* (11 Times L. R. 126, 270) the defendant company escaped liability although they used no spark arrester. The present Act abolishes the special privilege conferred on railway companies by virtue of their statutory powers, and they will, therefore, in future be liable to an ordinary action for damage to neighbouring property caused by the use of their own property, but this is confined to agricultural land and crops. "When, after this Act comes into operation, damage is caused to agricultural land or to agricultural crops, as in this Act defined, by fire arising from sparks or cinders emitted from any locomotive engine used on a railway, the fact that the engine was used under statutory powers shall not affect liability in an action for such damage" (section 1). But the claim must be limited to £100 and notice of claim must be sent to the company within seven days, and particulars within fourteen days of the occurrence of the damage. By section 2 a railway company is empowered to enter on land and do all things necessary for extinguishing or arresting the spread of fire, including the cutting down of undergrowth, and, with the consent of the owner, the cutting down of trees, bushes, and shrubs, upon paying full compensation to be determined by two justices under section 24 of the Lands Clauses Act, 1845. The Act comes into operation on the 1st of January, 1908.

THE ALIENS ACT, 1905 (5 ED. 7, c 13).

The leading provision of this Act is that an "immigrant" shall not be landed in the United Kingdom from an "immigrant ship" except at a port where there is an immigration officer appointed under the Act, and he shall not be landed without the leave of such officer. The leave is to be given after an inspection of the immigrants made by the immigration officer, in company with a medical inspector, either on the ship, or elsewhere if the immigrants are conditionally disembarked for the purpose. The immigration officer is to withhold leave in the case of any immigrant who appears to him to be an "undesirable immigrant" within the meaning of the section, but his decision is to be subject to appeal to the "immigration board" of the port (section 1). The operation of the Act depends, therefore, upon the definitions of "immigrant," "immigrant ship," and "undesirable immigrant." The first two terms are defined in section 8. The expression "immigrant" means "an alien steerage passenger who is to be landed in the United Kingdom," but it does not include passengers who are *en route* for some destination out of the United Kingdom; and the expression "immigrant ship" means a ship with more than twenty alien steerage passengers who are to be landed in the United Kingdom, or such number as may be for the time being fixed by the Secretary of State, either generally or as regards any special ships or ports. This still leaves it necessary to define "passenger" and "steerage passenger," and the former expression is defined to include "any person carried on the ship other than the master and persons employed in the working or service of the ship," and the latter includes "all passengers except such persons as may be declared by the Secretary of State to be cabin passengers by order made either generally or as regards any special ships or ports."

It will thus be seen that the Act leaves a good deal to be settled by order of the Home Secretary, but the ruling idea is that its procedure does not touch aliens unless they come in batches, or unless they are too poor to pay for cabin accommodation. The solitary alien or the well-to-do alien is still free of the country, whether in the ordinary sense he is undesirable or no. But when the immigration officer has found an immigrant about to land from an immigrant ship within the foregoing definitions, then he has to apply the tests of section 1, sub-section 3, to determine whether he is an undesirable immigrant, and he is undesirable (a) if he cannot shew that he has in his possession, or is in a position to obtain, the means of decently supporting himself and his dependants (if any); (b) if he is a lunatic or an idiot, or owing to any disease or infirmity appears likely to become a charge upon the rates or otherwise a detriment to the public; (c) if he has been sentenced in a foreign country for an extradition crime which is not of a political character; or (d) if an expulsion order under the Act has been made in his case. There is appended, however, to the sub-section a proviso which is intended to protect (1) immigrants who come to this country solely to avoid "prosecution or punishment on religious or political grounds or for an offence of a political character, or persecution, involving danger of imprisonment or danger to life or limb, on account of religious belief"; (2) immigrants who have resided here for six months and have then, after embarking for some other country, been refused admission and returned direct to a port in the United Kingdom; and (3) an immigrant who was born in the United Kingdom, his father being a British subject. With ordinary care in drafting, this long proviso should have been split up into sub-clauses. As it stands it forms a difficult piece of reading. Sub-section 4

contains an important provision enabling the Home Secretary to exempt any immigrant ships from the provisions of the section if he is satisfied that a proper system is being maintained for preventing the embarkation of undesirable immigrants on those ships; in other words, the duties of the immigration officer may be transferred to the managers of particular ships. Section 2 provides for the establishment of immigration boards.

The foregoing part of the Act deals with the entry of undesirable immigrants into this country. Section 3 empowers the Home Secretary in certain cases to make an expulsion order—that is, an order requiring an alien to leave the United Kingdom within a time fixed by the order, and thereafter to remain out of the United Kingdom. This may be done (a) when it is certified by any court (including a court of summary jurisdiction) that the alien has been convicted of any of the offences for which the court has power to imprison without the option of a fine, or for an offence as a prostitute; or (b) if it is certified by a court of summary jurisdiction, after proceedings taken within twelve months of the alien's last entry into the United Kingdom (i.) that he has within three months been in receipt of parochial relief, or been found wandering without ostensible means of subsistence, or been living under insanitary conditions due to overcrowding, or (ii.) has entered the United Kingdom after the passing of the Act, and has been sentenced in a foreign country for an extradition crime, not being an offence of a political character. The remaining sections of the Act supply machinery for carrying the foregoing provisions into effect. The Act comes into force on 1st January, 1906.

THE TRADE-MARKS ACT, 1905 (5 ED. 7, c. 15).

We have already discussed this Act (*ante*, p. 710).

THE UNEMPLOYED WORKMEN ACT, 1905 (5 ED. 7, c. 18).

This Act makes a first attempt at State interference in the employment of labour, but it is subject to the important qualification that, while it provides funds for arranging employment, it provides no funds for actual employment of workmen. A distress committee is to be established by order of the Local Government Board for every metropolitan borough in London, and a central body for the whole of the administrative county of London. The duties of the distress committee are to make themselves acquainted with the conditions of labour within their area, and, when so required by the central body, to receive, inquire into, and discriminate between any applications made to them by persons unemployed. They may endeavour to obtain work for suitable applicants, or may refer any case to the central body; but they are to have no power to provide or contribute towards the provision of work. It will be the duty of the central body to superintend and co-ordinate the action of the distress committees, and to aid their efforts by establishing labour exchanges and employment registers, and by the collection of information. The central body may, in the case of an unemployed person referred to them by a distress committee, render assistance by aiding emigration or removal, or by providing temporary work in such manner as will lead to permanent work. The expenses of the central body and the distress committees are to be provided (1) by voluntary contributions, and (2) by contributions made on the demand of the central body by the metropolitan borough councils, but these latter contributions are to be liable only for (1) establishment charges, (2) expenses of emigration or removal, and (3) the acquisition of land for the purposes of the Act. In other words, they are not to be liable for the provision of work. For this purpose the central body will have to rely solely on voluntary contributions.

The above provisions are contained in section 1. Section 2 empowers the Local Government Board by order to establish distress committees for boroughs and urban districts outside London having a population of not less than 50,000, or down to 10,000 on the application of the council of the borough or district; and distress committees and central bodies can similarly be established for counties or parts of counties. Where distress committees have not been established for the whole of a county or for a county borough, then the council of the county or of the county borough are to constitute a special committee consisting of members of the council with co-opted persons, but the duties of such committee will be limited to collecting and supplying information and establishing labour exchanges and employment registers. Section 3 enables temporary provision to be made pending the establishment of proper organization, and under section 4 the Local Government Board may make regulations for carrying the Act into effect. The Act is to continue in force only for three years from its passing, unless Parliament otherwise determines.

It is announced that the following judicial appointments have been made in the Isle of Man: Mr. Thomas Kneen, the First Deemster, to be Clerk of the Rolls, in succession to the late Sir James Gell, C.V.O.; Mr. Stewart Stevenson Moore, the Second Deemster, to be First Deemster; and Mr. Charles T. C. Callow, the Vicar-General of the Island, to be Second Deemster.

Reviews.

Life Assurance.

THE LAW OF LIFE ASSURANCE. INCLUDING THE FORMATION, CONSTITUTION, AND AMALGAMATION OF ASSURANCE COMPANIES, AND ASSIGNMENTS AND EQUITABLE LIENS ARISING IN CONNECTION WITH LIFE POLICIES. By CHARLES JOHN BUNTON, M.A., Barrister-at-Law. FOURTH EDITION. By J. V. VESEY FITZGERALD, K.C. Charles & Edwin Layton.

In four parts—on the Contract of Insurance, the Insurer, Dealings with Policies, and Interests in Policies—this work deals with the whole subject of life insurance. The first part includes a discussion of the cases on the materiality of the representations made to the office upon effecting the policy. Such representations are, of course, of the greatest importance, as any error may have the effect of avoiding the policy. The second part deals with the constitution of insurance offices, with their amalgamation and winding up, and with the powers of their officers. In ordinary practice probably the third part is more generally useful, treating, as it does, of the charges which may be created on policies in favour of the office or third persons. It will be remembered that a life policy was the subject of the leading case of *Salt v. Marquis of Northampton* (1892, A. C. 1) which affirmed the old maxim "once a mortgage, always a mortgage," and the other recent cases which define the right of redemption are also referred to. An interesting question sometimes arises as to the existence of a lien in favour of a person who pays the premiums on a policy. It would not be unnatural to allow such a lien generally, and at one time there appeared to be authority that it could be claimed by a volunteer. The claim indeed is of the nature of salvage, whether made voluntarily or otherwise. But, as is here pointed out, this benevolent view was rejected by Fry, J., in *Leslie v. French* (23 Ch. D. 552), and his decision was approved by the Court of Appeal in *Falcke v. Scottish Imperial Insurance Co.* (34 Ch. D. 234). To obtain the lien the payer of the premium must come within one of the four classes of persons enumerated in *Leslie v. French*, and these do not include volunteers. The book closes with chapters on stamps, on death duties, and on income tax, and the appendix gives the text of the relevant statutes, and also an index to private statutes obtained by insurance companies. This edition will be found to be a full and reliable guide in all matters connected with life insurance.

Books of the Week.

The Annual Practice, 1906: being a Collection of the Statutes, Orders, and Rules relating to the General Practice, Procedure, and Jurisdiction of the Supreme Court, with Notes, Forms, &c. By THOMAS SNOW, M.A., Barrister-at-Law, CHARLES BURNBY, B.A., a Master of the Supreme Court, and FRANCIS A. STRINGER, of the Central Office, Royal Courts of Justice. In Two Vols. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

Encyclopædia of Local Government Law (exclusive of the Metropolitan). Editor, JOSHUA SCHOLEFIELD, Esq., Barrister-at-Law. Vol. I.: Accounts and Audit to Baths and Washhouses. Butterworth & Co.; Shaw & Sons.

The Law of Light and Air. By ALFRED A. HUDSON and ARNOLD INMAN, Barristers-at-Law. Second Edition. *Estates Gazette* (Limited); Sweet & Maxwell (Limited).

A Treatise upon the Law affecting Sewers and Drains, with Plans. By ARTHUR P. POLEY, Esq., B.A., Barrister-at-Law. Eyre & Spottiswoode.

Trade Unions and the Law. By DAVID FALCONER PENNANT, Barrister-at-Law. Stevens & Sons (Limited).

The A B C Guide to the Practice of the Supreme Court, 1906. Fourth Edition. By FRANCIS A. STRINGER, of the Central Office of the Supreme Court. With Diary for Notes of Appointments. Sweet & Maxwell (Limited); Stevens & Sons (Limited).

Sir Albert Rollit, president of the organising committee of the British section at the Liège Exhibition, has received from King Leopold the decoration of Grand Officer of the Order of Leopold.

A correspondent of the *Times* points out that it is not correct to say that the Lord Chancellor exceeds in age any of his predecessors. The Lord Chancellor was born on the 3rd of September, 1825, and is 80 Lord Campbell, when he opened the law term in Michaelmas, 1860, was 81, having been born on the 15th of September, 1779. Nor is it correct to say that Lord Halsbury has held office longer than any of his predecessors except Lord Hardwicke and Lord Eldon. The three periods of the Lord Chancellor's Chancellorship amount together to just about 17 years. Lord Ellesmere held the Great Seal continuously for 21 years (1596-1617), and Sir N. Bacon held it for 20 years continuously (1558-1579).

Correspondence.

The New Zealand Land Transfer Act.

[To the Editor of the Solicitors' Journal.]

Sir,—Mr. Edwards is familiar with the New Zealand practice and I am not. If he says that I am wrong, I have no doubt that he is right, and gladly accept his correction.

There is, however, a point arising in my former letter to which the attention of landowners in London should, I think, be directed—viz., the importance of giving special attention to county council and other Bills dealing with street improvements, public works, and similar matters.

The deadlock in New Zealand has been caused by the decision of the Court of Appeal, on a special case submitted for decision by the Registrar-General of Land, on questions arising under "the Land Transfer Act, 1885," upon the interpretation of other New Zealand Acts—particularly of section 3 of "the Public Works Act, 1903." It had previously been established by a case of *Riddiford v. Mayor, &c., of Lower Hutt* that, under "the Public Works Act Amendment Act, 1900," the owner of land abutting upon a public street or road who desired to sell his land in allotments, each allotment abutting upon the public road or street, and no new roads or streets being laid out, was not under any obligation to comply with certain provisions of the last-mentioned Act relating to the widening of streets, &c.

The present state of things seems to be best described in the following extract from the judgment delivered by Edwards, J., in the Court of Appeal:

"What can the owner of land abutting upon a road, street, or private street do if he desires to sell portion of his land, less than the whole? If he sells it without widening the street, he is met by a refusal on the part of the district land registrar to register the transfer. If he widens the street, he probably so lessens the depths of land which he can offer for sale as to materially depreciate its value—in some cases to render it practically of no value at all. If he is under an obligation to widen the street he can throw the consequent loss upon the municipal authority under section 3, subsection (3). But there he will be met with a denial on the part of the municipal authority of any liability, armed with the authority of four judges of this court that there is none. If he wants an authoritative decision upon the point he must go to the Privy Council, with the result that if the view of the four judges of this court in *Riddiford v. Mayor, &c., of Lower Hutt* is supported, he will find that he has lost the value of the land dedicated to widen the street, that he has greatly depreciated the value of what remains, and that he has to pay all the costs of both sides both in the courts of the colony and before the Judicial Committee of the Privy Council."

The same judge considers that the opinion of the court on the special case "can be looked upon as no more than a series of rules to guide the registrar-general and his officers in the discharge of their duties, and that such opinion will not bind this court, or the Supreme Court, in any litigious proceeding in which any of these questions may be raised by persons actually interested in their determination." Another judge says that "it seems probable that even now the full consequences of the legislation have not been altogether foreseen."

I have already pointed out that the effect of the above decision is practically to render much land unsaleable; hence the necessity that those interested in the sale of land in London should foresee the consequences of legislation.

9, Old-square, Lincoln's-inn, Oct. 25.

W. A. PECK.

[To the Editor of the Solicitors' Journal.]

Sir,—In connection with Mr. Edwards' letter in your last issue on the subject of the New Zealand Land Transfer Act, I should like to call attention to a question and answer given in the report of the Select Committee on Trusts Administration in the year 1895 as showing how little the theoretical advocates of registration understand their subject. The questioner was Sir G. Osborne Morgan, well known as an advocate of registration, and the witness was Sir J. Vogel, at one time Prime Minister of New Zealand.

"Sir G. O. Morgan: You are aware, no doubt, that the colonial land transfer system, which, as you say, has worked so admirably in the colonies, has not worked quite so well in this country?"

"Sir J. Vogel: It has never been tried here to my knowledge. Of course, the cases are widely different. In the colony these laws were passed at an early date, when most of the land belonged to the Crown, and the land title was immediately made subject to the Transfer Act. Here you would have to go back a great many years." Outlands Park, Weybridge, Oct. 25.

H. F. BROWN.

Direction in a Will to Employ a Particular Solicitor.

[To the Editor of the Solicitors' Journal.]

Sir,—I would ask you to let me enter an emphatic protest against the contention of your correspondent Mr. Turner that there is nothing necessarily undesirable in the insertion in wills of a direction to executors and trustees to employ a particular solicitor to transact the business of the testator's estate, and still more against your suggestion that it would be desirable that such a direction should be legally binding.

There are three grounds on which I wish to enter this protest: (1) The direction is unnecessary; (2) it is monstrously unfair to trustees; (3) it would be open to gross abuse.

(1) If a testator desires a particular solicitor or firm to transact the business of his estate, why should he not so inform his trustees and obtain from them a promise to employ such person, assuming, of course, the business is satisfactorily conducted. If any trustee is not prepared to act under the advice of the solicitor named, he has an opportunity of so informing the testator and suggesting the substitution of some other trustee in his place. It will hardly be suggested that a testator cannot trust his trustees to keep their word about such a matter, if he is willing to confide to them both his property and the interests of his family.

(2) Such a direction must be monstrously unfair to trustees. The relation between solicitor and client should be based on confidence, and what must be the feelings of a trustee who finds a solicitor, whom he cannot dismiss, incompetent or negligent, or worse still, should he suspect his honesty but have no means of proving it? How, under such circumstances, is he to do his duty?

(3) Sir John Gray Hill stated at the general meeting of the Law Society that he had never seen such a clause in any will. My experience of the profession is about as long as Sir John's, and, though not so extensive as his, yet in this particular line of practice it has not been inconsiderable. I never recollect seeing such a clause but once, and my contention that the clause is open to abuse is so well illustrated by what I learnt on that occasion that I venture to ask for space to tell the story.

I was consulted by a gentleman of family, but of only moderate estate, whom I had long known personally, but save as a trustee of a family settlement, I had never acted for him. He brought me a will that had just been made by a solicitor practising in the neighbourhood, of whom I will say nothing but that his ideas of *quod docet* in the profession are not quite identical with mine. It contained a clause directing the executors to employ the solicitor who had made it to transact all business connected with the executorship and trusteeship, and I was told that the solicitor in question had told the testator he would strike out the clause if he so wished, but that it was a usual and desirable provision. The testator in that instance was a very quiet, amiable old gentleman, and he told me he thought the best course to adopt was to execute the will and bring it on to me for further advice. I need not say that will did not remain long in operation, and the solicitor who made it is not likely to act for the executors of that testator.

So far from suggesting that this example may be used as a basis for an argument on the lines of *ex uno disce omnes*, I would rather urge that it is an exception that proves the rule, and that the experience of most solicitors is that of Sir John Gray Hill and myself—that there are few solicitors who would insert such a clause.

I cannot conceive a testator appointing two trustees without business capacity, to act, I suppose as dummies or to move like marionettes as the strings are pulled by a solicitor. Why in such a case not appoint the solicitor a co-trustee and let him if he has power share the responsibility?

On such grounds as these I hope it will be long before such a clause is recognized as a proper one, and still longer before it is given legal validity.

Hereford, Oct. 23.

[See observations under the heads of Current Topics.—ED. S.J.]

Separate Accounts for Clients' Money.

[To the Editor of the Solicitors' Journal.]

Sir,—Below is a copy of a letter we recently addressed to Sir J. E. Gray Hill, and he writes us that he thinks it would help the movement if we were to write you upon the matter:

"Dear Sir,—May we take this opportunity of assuring you that you have not been preaching in the wilderness on the subject of separate accounts for clients' money. We are an old-established firm, and old methods have been difficult to get out of; but promptly after your address of October, 1903, we adopted the system, and have had unmixed satisfaction at the sense of security the practice gives. It is worth very many times the additional trouble in book-keeping which it involves."

London, E.C., Oct. 25.

YOUNG & SONS.

New Orders, &c.

Supreme Court Funds Rules, 1905.

(Continued from p. 822.)

XI.—COPIES OF ORDERS AND OTHER DOCUMENTS FOR AUDIT OFFICE.

97. *Office copy of Schedules, &c., to be sent to Audit Office.* An office copy of the Schedules to every Order in the Chancery Division and in Lunacy, and, when requested, an office copy of any Order in the King's Bench and Probate Divorce and Admiralty Divisions, to be acted upon by the Paymaster, shall be transmitted by the proper officer to the Audit Office; and in case of any amendments being made in any such Schedule or Order, such office copy shall be likewise amended.

98. *Office copy of certificates and other documents to be sent.* An office copy of every certificate or other authority of a Master of the Supreme Court, Taxing Officer, or of a Master in Lunacy, which is to be acted upon by the Paymaster, or so much thereof as may be necessary, and an office copy of any certificate, affidavit, or statutory declaration which may be received in evidence by the Paymaster, shall, when requested, be transmitted by the proper officer to the Audit Office.

XII.—MISCELLANEOUS.

99. *Paymaster to give certificates of funds in Court.* The Paymaster, upon a request signed by or on behalf of a person claiming to be interested in any funds in Court standing to the credit of an account specified in such request, may, in his discretion, issue a certificate of the amount and description of such funds, and such certificate shall have reference to the morning of the day of the date thereof, and shall not include the transactions of that day.

The Paymaster shall notify on such certificate the dates of any Orders restraining the transfer, sale, delivery out, or payment, or other dealing with the funds in Court to the credit of the account mentioned in such certificate, and whether such Orders affect principal or interest; and any Charging Orders affecting such funds, of which respectively he has received notice, and the names of the persons to whom notice is to be given, or in whose favour such restraining or charging Orders have been made; and the date of any notice which he may have received stating that Duty is payable, of which a memorandum has been made in his books pursuant to Rule 66 of these Rules.

The Paymaster may re-date any such certificate, provided that no alteration in the amount or description of the funds has been made since the certificate was issued.

When a cause or matter has been inserted in the list referred to in Rule 101, the fact shall be notified on the certificate relating thereto.

100. *Paymaster may issue transcripts of accounts and furnish other information.* Upon a request signed by or on behalf of a person claiming to be interested in funds in Court, the Paymaster may, in his discretion, issue a transcript of the account in his books specified in such request; and if so required by the person to whom it is issued, such transcript shall be authenticated at the Audit Office. He may also upon a like request supply such other information or issue such certificates with respect to any transactions or dealings with funds in Court as may from time to time be required in any particular case.

101. *List of dormant funds to be made triennially and published.* On or before the 1st day of March in every third year the Paymaster shall prepare, in such form and with such particulars as the Treasury may from time to time direct, a list or statement of the accounts in the books of the Pay Office to the credit of which there stood on the 1st day of September then next preceding any funds not less than £50, which have not been dealt with, otherwise than by the continuous investment or placing on deposits of dividends, during the 15 years immediately preceding the last-mentioned date.

The said list or statement shall be filed in the Central Office and a copy thereof shall be inserted in the "London Gazette" and exhibited in the several Offices of the Court.

The Paymaster may, in his discretion, give any information respecting any funds in Court mentioned in such list or statement upon a request signed by the person applying for such information or by his solicitor. If such request be made by a solicitor, such information shall not be given unless the request states the name and address of the person on whose behalf it is made, and that such person is in the opinion of the applicant beneficially interested in such funds. If such request be made by any person other than a solicitor, such information shall not be given unless the applicant is able to satisfy the Paymaster that the request is such as may in the particular case be properly complied with.

The Paymaster may omit from such list or statement any account in respect of which he may be informed by or on behalf of a person claiming to be interested therein that an Order dealing therewith will be applied for; or any account the funds standing to the credit of which have been lodged under Rule 41 (a) of these Rules, and remained und dealt with for a period not exceeding 20 years.

102. *Transfer of small balances to a special account.* The Paymaster may from time to time carry over to a special account for small balances such balances of money and securities as do not together exceed £5, and on which the money or securities shall not have been dealt with during the preceding five years. When an Order dealing with funds carried over under this Rule is to be acted upon, the Paymaster shall carry back such funds and any dividends accrued thereon to the account from which they were so carried over, and shall deal therewith as directed by such Order.

103. *Titles of accounts not to exceed 36 words.* The length of the title of any ledger credit shall not exceed 36 words: Provided that such title may be extended beyond 36 words if a sufficient reason be assigned to the satisfaction of a Registrar or Master of the Supreme Court; and the

Registrar or Master shall in such case add to the instruction to open such credit the words "notwithstanding Rule 103"; and provided also that the Paymaster may extend any such title if in his opinion a sufficient reason be assigned for so doing. In such title four figures shall be reckoned as one word.

104. *Outstanding cheques of late Accountants General.* Unpaid cheques signed by the late Accountant General, or any of his predecessors, shall be a sufficient authority to the Paymaster for making the payments therein purporting to be intended to be made.

105. *Index of documents filed.* An index shall be made and kept in the Central Office of all documents by these Rules directed to be filed there.

106. *Names and addresses of suitors.* Upon the request of any person, or of a solicitor acting on behalf of any person, named in an Order and entitled to or interested in funds in Court, the Paymaster shall record, in such manner as he shall consider convenient for reference, the name and address of such person, or of the solicitor for the time being acting on his behalf, and also any change of such address which may be notified to him.

107. *Paymaster's directions to be issued and signed as Treasury may prescribe.* The directions of the Paymaster for giving effect to these Rules shall be prepared and issued in such form and manner as the Treasury may from time to time direct, and shall be signed by such officers as the Treasury may prescribe or approve.

108. *Identification of persons to be paid, &c.* It shall be the duty of the Paymaster to comply with any instructions which may be given to him by the Treasury as to the means of identifying any person to whom a direction for payment of money or for delivery of securities out of court is issued when such identification may be deemed necessary.

109. *Conversion of securities: and securities of extinct companies.*—(a.) Whenever any amount or number of stocks, shares, or other security in court (in this Rule referred to as the original security) is converted into any other stock, shares, or other security (in this Rule referred to as the substituted security), so that the description thereof will differ from the description given of the original security in the Order or other authority under which the Paymaster acts respecting the same, the Paymaster shall write off from the account to which the same may be standing the original security so converted, and shall place to the same account a proportionate part of the substituted security; and except in so far as any original security may be effected by any Order brought to the Pay Office in due time for that purpose, the Paymaster shall, so far as may be practicable, give effect to every part of any Order or other authority under which he has been acting which shall refer to any such original security so converted as aforesaid, or the dividends thereon, as if it referred to the substituted security or the dividends thereon. Provided that payments of income shall not be made in pursuance hereof, without an Order, in any case where the substituted security is a terminable annuity, unless such terminable annuity is based upon a deduction for sinking fund intended to replace the capital of the original security.

(b.) The Paymaster may, without any Order in that behalf, take the necessary steps, under such directions as may be given by the Treasury from time to time, to effect the conversion of any securities in Court, the conversion of which is compulsory upon the holders under any Act of Parliament, or the sanction of the Court, or any scheme of arrangement or sale duly effected or sanctioned under any of the provisions of the Companies Acts. There shall be lodged with the Paymaster the authority for such conversion, including, if required by him, an Office Copy of an affidavit of the Secretary or other proper officer of the company or other public body concerned, or of the solicitor for any of the parties to the cause or matter to the credit of which the securities stand setting out the circumstances under which the conversion has become compulsory upon the holders; and such documents shall be retained by the Paymaster, and shall be his authority for effecting the conversion referred to therein.

(c.) Where any company has been wound up, and thereafter is struck off the Register the Paymaster, on receipt of notification in writing from the Liquidator, or from the Board of Trade, that no assets are or will be distributable in respect of any securities of the Company which have been lodged in Court, and from the Registrar of Joint Stock Companies that the Company has been struck off the Register, shall withdraw from the bank the certificates, if any, representing such securities, and shall write off the said securities from the account to which the same may be standing, and shall send the certificates, if any, to the Audit Office, together with the notifications from the Liquidator or the Board of Trade, and the Registrar of Joint Stock Companies, which shall be his authority for such writing-off.

110. *Allotments of new stock by companies.* Whenever any allotment letters, scrip allotments, or other securities are allotted or assigned in respect of any sums of stock, or of any shares or other security in Court, such allotment letters, scrip allotments, or other securities (excepting such of them, if any, as may be affected by any Order of which the Paymaster has notice) shall be sold. The money to arise by the said sale shall be paid by the broker to the Pay Office account at the Bank and placed in the books of the Pay Office to the respective accounts to which the said stock or shares or other security are standing, in respect of which such allotment letters, scrip allotments, or other securities have been allotted or assigned.

111. *Rules to apply to District Registries at Liverpool and Manchester.* These Rules shall apply to funds in Court or hereafter lodged in Court in the District Registries in Liverpool and Manchester; but shall not apply in other District Registries.

2nd August, 1905.

We certify that these Rules are made with the concurrence of the Commissioners of His Majesty's Treasury.

(Signed) H. W. Forster.
Edmund B. Tulbot.

[There is a long appendix of forms.]

Law Students' Journal.

Law Students' Societies.

LAW STUDENTS' DEBATING SOCIETY.—Oct. 24.—The subject for discussion was: "That this house deplores the recent manifestations of activity on the part of Germany in foreign politics as being prejudicial to the peace of Europe." Mr. R. P. Croom-Johnson opened the debate in the affirmative; Mr. Neville Tebbutt opened the debate in the negative. The following members also spoke: Messrs. C. S. Krause, H. C. Myers, G. C. Blagden, W. M. Pleadwell, W. G. Singleton, T. C. Newman, Oates, and Vere Bass. The opener having replied, the motion was put and carried by one vote.

The Anomalous Position of the Lord Chancellor.

A PAPER read at the Leeds meeting by Mr. R. J. SUGDEN, LL.B. (Bradford):

The necessity for the entire separation of the judicial from the legislative and executive functions has come to be regarded almost as an axiom of the British Constitution. Lord Brougham, in his work on this subject, published in 1861, lays it down that this separation is necessary both to secure the independence of the judicial functions and to prevent their being influenced by the interests of party or by the voice of the people. He characterizes the union, in the person of the Lord Chancellor, of the legislative office with the judicial, as wholly to be reprobated, and as a great anomaly in the Constitution of England, which has occasionally given rise to mischief in the administration of justice, and may result in greater mischief in the future. Mr. Bagehot, in his "English Constitution," says: "The whole office of the Lord Chancellor is a heap of anomalies. He is a judge, and it is contrary to obvious principle that any part of administration should be entrusted to a judge. It is of very grave moment that the administration of justice should be kept clear of any sinister temptations. Yet the Lord Chancellor, our chief judge, sits in the Cabinet and makes party speeches in the Lords. Lord Lyndhurst was a principal Tory politician, yet he presided in the O'Connell case. Lord Westbury was in chronic wrangle with the bishops, but he gave judgment upon 'Essays and Reviews.' In truth the Lord Chancellor becomes a Cabinet Minister because being near the person of the Sovereign he was high in court precedence, and not upon a political theory, right or wrong." The Lord Chancellor occupies in the House of Lords a position analogous to, though differing in some respects from, that of the Speaker of the House of Commons, the duties of which office presumably require the strictest impartiality, yet he actively promotes the passage of legislative measures through Parliament, undertakes to accept amendments thereon, presides over the deliberations upon these measures in the House of Lords, and may subsequently at any time be called upon, in matters involving issues of the highest importance, to place a final authoritative construction upon his own handiwork. Some of these measures may involve the placing of a large amount of patronage. This was especially the case with the Public Trustee Bill, and the extension throughout the country of the Land Transfer Act, promoted by him, would necessitate the creation of a huge army of officials, and would place a far greater patronage than has ever fallen to the lot of any English Minister at the disposal of the Lord Chancellor. The problems arising out of the modern tendency towards officialism in every direction are outside the purview of this paper, but it is impossible to ignore, in this context, the enormous possibilities of political influence by officials in combination, as exemplified by the recent crisis in the Post Office. In the case of the Land Transfer Act, the Lord Chancellor has, in addition, become the supreme rule-making authority for the purposes of the Act. True, by the terms of section 22, sub-section 2, of that Act, it was provided that rules should be made with the advice and assistance of certain persons forming a Rule Committee. The Land Transfer Rules of 1903 were, however, issued by the Lord Chancellor, in part, on his own responsibility, against the advice of the majority of the committee, and it is rumoured that this majority consisted of those members of the committee who were not Government officials. It was suggested in the columns of the *Times* in January, 1903, that the operation of the Land Transfer Act in London is illegal, because the order made by the Lord Chancellor bringing it into operation was *ultra vires*. If the questions as to the sufficiency of this order and these rules come to be litigated, surely his lordship, as President of the House of Lords, would be placed in a most invidious position were he to have to make a final pronouncement as to the validity of his own acts. As a fitting climax, when Mr. J. Bamford Slack wished last year to ask a question in the House of Commons in regard to the making of these identical rules, he was informed that the rules of the House allow no question to be asked with regard to anything done or left undone by the Lord Chancellor. The *Law Times* newspaper of the 11th of June, 1904, has a paragraph referring to a letter by a K.C., M.P., in which it is suggested that the refusal to admit the above question to the notice paper is probably grounded on the fact that, inasmuch as the salary of the Lord Chancellor, or that part of his salary which he receives for the discharge of judicial and quasi-judicial duties as distinguished from his salary as Speaker of the House of Lords, is not on the Estimates, and is paid, by statute, out of the Consolidated Fund, he is removed from Parliamentary criticism unless by means of a specific motion. This contention, as is pointed out by the article in que-

tion, ignores the position of the Lord Chancellor as a member of the Cabinet and the holder of an office held, not like other judicial offices, on good behaviour, but at the pleasure of the Crown or subject to the fortunes of the Ministry to which he may belong. There can be no question as to the value and the necessity of the right of Parliamentary interrogation as a safeguard against unconstitutional conduct on the part of the Ministers of the Crown, and it is, to say the least, extremely unfortunate that the Lord Chancellor should be held to be free from this check in reference to his administrative actions and his conduct as a member of the Cabinet. The fact that he has been so held emphasises the soundness of the principle before referred to that judicial and executive functions should be severed, and that the judicial office should be removed from all political associations. The following expression of opinion on the part of an eminent authority, made so recently as the 31st of July last, is of considerable interest in considering this constitutional question. The Colonial Secretary, the Right Hon. Alfred Lyttelton, K.C., speaking at Warwick on that date, said that a distinguished Scottish judge, Lord Robertson, had descended from his high judicial position into the political arena to make a bitter personal attack upon the Premier. It was an ill-omened thing that a great Law Lord should thus have detached himself from the calmness and judicial moderation which had hitherto characterized the great office which he held. In view of the foregoing facts, it is curious to find such a stricture upon a minor departure from constitutional practice from the lips of a member of the Government to which the present Lord Chancellor belongs. Without imputing motives or any desire to transgress the safeguards of our liberties it is, I submit, perfectly clear that the powers attached to the office of Lord Chancellor have materially transgressed the spirit of the Constitution, and go far in the direction of a dictatorship in regard to the matters within his cognizance. The prerogative of the Crown has been reduced to limits consistent with the preservation of national freedom. The Court of Star Chamber over which previous Lord Chancellors presided has been abolished. What is to be done to curb the ever increasing claims of the highest judicial office in the land in matters which are entirely outside the scope of the judiciary? It is suggested that the society should carefully scrutinize, in the light of past experience, any powers proposed to be given to the Lord Chancellor by legislative enactment, so long as he remains a politician, and that measures ought to be taken to enlighten public opinion. It is in the hope that my fellow-members may be induced to look into the matter with a view to some definite action being taken that I have ventured to write these few lines upon a subject which, in my opinion, is fast becoming a grave constitutional question.

Obituary.

Mr. C. E. Mathews.

We greatly regret to announce the death, on Friday last, in his seventy-second year, of Mr. Charles Edward Mathews, solicitor, of Birmingham. He was the son of Mr. Jeremiah Mathews, of Park Hall, near Kidderminster. He was educated at King Charles the First's School, Kidderminster. In 1851 he was articled to Mr. Arthur Ryland, of Birmingham, and completed his legal studies with Messrs. Rankin, Ford, & Co., of Gray's-inn, London. He was admitted in 1856, and began to practise on his own account at Birmingham, but ultimately became head of the firm of Messrs. Mathews, James, & Crosskey, of Birmingham. Mr. Mathews was solicitor to the Birmingham School Board, and his firm were solicitors to the Trustees of St. Martin's Parish. In 1891, upon the death of Mr. T. R. T. Hodgson, Mr. C. E. Mathews was appointed Clerk of the Peace, and it is stated that he never missed attendance at a single quarter sessions. Mr. Mathews had been president of the Birmingham Law Society, the Society of Notaries of England and Wales, and the Society of Clerks of the Peace. He took the warmest interest in educational matters at Birmingham. He was well known as a mountaineer, and in 1856 made the third ascent of Monte Rosa. He subsequently spent forty seasons in the Alps, in the course of which he climbed almost every peak, including the Matterhorn three times, the Wetterhorn three times, the Monch twice, Monte Rosa five times, and Mont Blanc twelve. When not spending his leisure in Switzerland, he was usually to be found in Wales, where for some years he had a residence near Machynlleth. He had ascended Cader Idris more than a hundred times, Snowdon over ninety. It was chiefly through Mr. Mathews and his brothers that the Alpine Club was formed in 1858. He was president of the club from 1877 to 1882. In speaking of him on Monday, at Birmingham, Mr. Joseph Chamberlain, M.P., said that "Mr. Mathews was a man of many intellectual interests and of great cultivation. His knowledge and love of English literature was very remarkable. He made an incomparable host to those who had the privilege of being invited to meet him. His own cheerfulness was contagious; his keen but always kindly wit added to the pleasure of his society, and in every rank of life, in every part of their varied work, now that he had gone they would miss him, and his place could never be supplied."

It is stated, says the *Times*, that the vacant county court judgeship in the Birmingham and Worcester districts caused by the resignation of Sir Richard Harington, has been offered to and accepted by his son, Mr. Edward Harington, who has frequently acted as deputy-judge for his father, and has occupied that position since Sir Richard's resignation. Mr. Edward Harington was called to the bar in 1889.

Legal News.

Appointments.

Mr. GEORGE E. SOLOMON, of Old Trinity House, E.C., solicitor, has been appointed a Commissioner in London for the High Court of Bombay, including the Insolvent Debtors Court for Oaths, Affidavits, &c., Examination of Witnesses, Attestation of Deeds and other Instruments, and to certify the same for use therein.

Changes in Partnerships.

Dissolutions.

ARTHUR CUTHBERT LANGHAM, LLEWELLYN GWYNNE JONES, and CYRIL LLOYD JONES, solicitors (Langhams, No. 10, Bartlett's-buildings, Holborn, London, and (Langham, Jones, & Jones), No. 174, Blackfriars-road, London. Sept. 29. The said Arthur Cuthbert Langham and Llewellyn Gwynne Jones will carry on the practice as solicitors at 10, Bartlett's-buildings aforesaid, under the style of Langhams, and the said Cyril Lloyd Jones will practise at 174, Blackfriars-road.

[*Gazette*, Oct. 20.

GEORGE THOMPSON POWELL and GEORGE GORDON POWELL, solicitors (Powell & Burt), 28 and 29, St. Swithin's-lane, London. Oct. 18.

[*Gazette*, Oct. 24.

General.

It is announced that the King has been pleased to confer the title of City upon the County Borough of Cardiff, and to direct that the Chief Magistrate of the city shall bear the title of Lord Mayor.

One of the charges against a judge of the Supreme Court of Arizona, whose resignation has been called for by President Roosevelt, is, says the *Evening Standard*, that when presiding in court he sat with his feet on the bench.

Mr. Justice Grantham, says the *Evening Standard*, celebrated his seventieth birthday by cub-hunting with the Southdown Foxhounds. After hours in the saddle he was engaged in giving instructions for improvements to his cottage property.

Mr. J. Eldon Bankes, K.C., will preside at the inaugural lecture by Mr. Holman Gregory to the members of the Solicitors' Managing Clerks' Association in the Middle Temple Hall on Monday, the 30th instant, at 7 p.m. Subject: "Local Government Board Inquiries."

Having lost a lawsuit in the Maria Theresopol courts, Dr. Miloszavljevitch, a well-known Hungarian deputy and lawyer, was murdered, says the Vienna correspondent of the *Express*, by his disappointed client, a man named Ulrich. The latter waylaid the deputy as he came from the law courts and dealt him a number of blows with an iron cudgel, smashing his skull. A journalist who accompanied the deputy had his arm broken while trying to ward off the blows. Ulrich afterwards surrendered to the police.

The service in Westminster Abbey, before the commencement of the sittings on Tuesday, was attended by nearly all the judges of the Protestant faith and by the Attorney and Solicitor-General and about 300 members of the bar. The judges, before taking up their seats in the choir, assembled in the nave with their attendants, and then walked in procession to their seats. The Roman Catholic judges and barristers attended a celebration of the "Red Mass" at Westminster Cathedral. The Right Rev. Dr. Fenton, Bishop of Amycia, was the celebrant.

Sir James Marwick, who for thirty years was Town Clerk of Glasgow, was on Wednesday presented with his bust in marble. The ceremony took place in the City Art Galleries in Kelvingrove Park in the presence of a large gathering of Glasgow citizens. The bust, which has been made by Mr. G. J. Frampton, R.A., for the subscribers, was presented by the Lord Provost, Sir John Ure Primrose, to the Galleries Committee for preservation among the city art treasures. A replica of the bust in bronze was unveiled by Sir David Richmond, an ex-Lord Provost, and handed over to Lady Marwick.

The preliminary committee which was appointed by Mr. Gerald Balfour some time ago to collect information for the guidance of the Government in framing their scheme of redistribution for next session is, says the *Evening Standard*, nearing the close of its labours. Its report will, it is expected, be presented to the President of the Local Government Board in the course of the next few days. The committee, which consists of Colonel Johnston, C.B., Mr. Alexander Glen, K.C., and Mr. Howel Thomas, of the Local Government Board, has been gathering information for some time past in various parts of the country, but no formal sittings have been held. The subject-matter of the committee's report will be laid before the Cabinet at its earliest sittings this autumn, and upon this the Government will frame its scheme for ultimate submission to a commission. It is probable that this body will include the three members of the committee at present sitting, with the addition of some others, who will work out in detail the final decisions of the Cabinet.

On Saturday in last week a testimonial was presented to Sir Richard Harington by the registrars, high bailiffs, and officers of the county courts and the official receivers, assistant official receivers, and officials in the Birmingham and Worcester districts, to mark the esteem and respect in which he has been held as a county court judge. The meeting was

presided over Mr. A. S. Allen, registrar of the Worcester County Court, who made the presentation, which consisted of a handsome silver inkstand and pair of candlesticks. Mr. Allen said he was sure that no one could have come before Sir Richard Harington, either as counsel, solicitor, or litigant, without feeling that his case had been thoroughly and patiently thrashed out, and his judgments had hardly ever been appealed against. Mr. A. W. Knott, registrar of the Bromyard Court, Mr. Whitlock (Birmingham), Mr. Luke J. Sharp (official receiver), and Mr. W. W. A. Tree, representing the solicitors, testified in the warmest terms to the patience, courtesy and kindness which Sir Richard had always displayed. Sir Richard Harington, in replying, repeated the warm expressions of thanks to all those with whom he had been brought into contact which he had already uttered in his official letters of farewell. But for the esteem and affection of those with whom he had been so long associated he left his office without the slightest regret. When he found at Stourbridge 150 or 200 judgment summonses and at Birmingham 250 or 300 two or three times a month, he could not but feel what a vast amount of mischief and misery those proceedings represented. He had tried without success to bring about some reform of a wretched system, which allowed wives to pledge their husband's credit, accept service of summons, and attend the court and admit the debt, while the first the husband knew of it was when he was summoned to shew cause why he should not be committed to prison for non-payment of the amount due.

Lord Lindley, in addressing a meeting of the Norwich and Norfolk Law Clerks' Association on Thursday in last week, said that the importance of the work of law clerks was only appreciated by those who mixed with them, and saw what they did. The ordinary client knew very little about them, though, of course, the solicitor knew them very well, and knew that they were much more important for the welfare of the whole profession, and for the proper conduct of the work which lawyers had to do than people really imagined. He must be something more, if he was to be a man at all, than a mere clerk. He must have some higher interest in his profession than to know the Annual Practice by heart, and have a good time table in his desk. He must recollect that the machinery had a purpose. It was their duty to know the rules of practice, but there was a great deal more than that. What mischief a law clerk could do if he was a bad fellow! He had to work with other people, and if he got angry, or was cross, or obstreperous, what a nuisance he was, not only to those who employed him, but to those with whom he came in contact. How easily business was transacted if they got the law clerks of opposing litigants to put their heads together to further the interests of their respective clients, and to smooth over the little difficulties. An immense deal of litigation was avoided, and an immense deal of friction avoided by good temper and consideration for other people. They should learn to be truthful and trustworthy. When he was a young man he did not appreciate this. He admired brains and ability, and thought there was nothing like it. But a long life had taught him that there were so many clever rascals in the world that brains and ability were not the highest standard for a man to aim at. They must have a competent knowledge of their profession; that went without saying. But it was character, after all, that made the great difference between one man and another. He urged them to live honourable lives, to hurt nobody, and to give everyone his due.

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	EMERGENCY ROTA.	APPEAL COURT No. 2.	Mr. Justice KEKEWICH.	Mr. Justice FARWELL.
Monday, Oct.	30 Mr. Greswell	Mr. Godfrey	Mr. Carrington	Mr. Theed
Tuesday	31 Church	R. Leach	Beal	W. Leach
Wednesday, Nov.	1 Farmer	Godfrey	Carrington	Theed
Thursday	2 King	R. Leach	Beal	W. Leach
Friday	3 W. Leach	Godfrey	Carrington	Theed
Saturday	4 Theod	R. Leach	Beal	W. Leach

Date	Mr. Justice BUCKLEY.	Mr. Justice JOYCE.	Mr. Justice SWINFEN EADY.	Mr. Justice WARRINGTON.
Monday, Oct.	30 Mr. King	Mr. Jackson	Mr. Church	Mr. Beal
Tuesday	31 Farmer	Pemberton	Greswell	Carrington
Wednesday, Nov.	1 King	Jackson	Church	R. Leach
Thursday	2 Farmer	Pemberton	Greswell	Godfrey
Friday	3 King	Jackson	Church	Pemberton
Saturday	4 Farmer	Pemberton	Greswell	Jackson

MICHAELMAS SITTINGS, 1905.

COURT OF APPEAL.

APPEAL COURT I.

The Business to be taken in this Court will, from time to time, be announced in the Daily Cause List.

APPEAL COURT II.

The Business to be taken in this Court will, from time to time, be announced in the Daily Cause List.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

CHANCERY COURT I.

MR. JUSTICE KEKEWICH.

Except when other Business is advertised in the Daily Cause List Mr. Justice KEKEWICH will take Actions with Witnesses daily throughout the Sittings.

CHANCERY COURT IV.

MR. JUSTICE SWINFEN EADY.

Retained Adjourned Summonses will be taken on Wednesday, October 26th. Liverpool and Manchester Business will be taken by Mr. Justice SWINFEN EADY, on the following days :-

Saturday October 29th
 " November 11th.
 " November 25th.
 " December 9th.
 On all other days throughout the Sittings Mr. Justice SWINFEN EADY will take Actions with Witnesses.

KING'S BENCH COURT.

MR. JUSTICE WARRINGTON.

Except when other Business is advertised in the Daily Cause List Mr. Justice WARRINGTON will take Actions with Witnesses daily throughout the Sittings.

LORD CHANCELLOR'S COURT.

MR. JUSTICE FARWELL.

Tues., Oct. 24. Mots
 Saturday .. 28. Mots, sht caus, and pets
 Monday 30. Sitting in chambers
 Sat., Nov. 4. Mots, sht caus, and pets
 Monday 6. Sitting in chambers
 Saturday 11. Mots, sht caus, and pets
 Monday 13. Sitting in chambers
 Saturday 18. Mots, sht caus, and pets
 Monday 20. Sitting in chambers
 Saturday 25. Mots, sht caus, and pets
 Monday 27. Sitting in chambers
 Sat., Dec. 2. Mots, sht caus, and pets
 Monday 4. Sitting in chambers
 Saturday 9. Mots, sht caus, and pets
 Monday 11. Sitting in chambers
 Saturday 16. Mots, sht caus, and pets
 Monday 18. Sitting in chambers

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard. Two copies of minutes of the proposed judgment or order must be left in Court with the judge's clerk one clear day before the cause is to be put in the paper. In default the cause will not be put in the paper.

N.B.—The following papers on further consideration are required for the use of the judge, viz. :—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate. These must be left in Court with the judge's clerk one clear day before the further consideration is ready to come into the paper.

CHANCERY COURT II.

MR. JUSTICE BUCKLEY.

Tues., Oct. 24. Mots
 Wednesday 25 Non-wit list
 Thursday .. 26 Non-wit list
 Friday 27. Mots and non-wit list
 Saturday .. 28. Sht caus, pets, procedure sums, and non-wit list
 Monday 30. Sitting in chambers
 Tuesday 31. Companies Acts and non-wit list
 Wed., Nov. 1 Non-wit list
 Thursday ... 2 Non-wit list
 Friday 3. Mots and non-wit list
 Saturday ... 4. Sht caus, pets, procedure sums, and non-wit list
 Monday 6. Sitting in chambers
 Tuesday 7. Companies Acts and non-wit list
 Wednesday 8 Non-wit list
 Thursday ... 9 Non-wit list
 Friday 10. Mots and non-wit list
 Saturday ... 11. Sht caus, pets, procedure sums, and non-wit list
 Monday 13. Sitting in chambers
 Tuesday 14. Companies Acts and non-wit list
 Wednesday 15 Non-wit list
 Thursday ... 16 Non-wit list
 Friday 17. Mots and non-wit list
 Saturday ... 18. Sht caus, pets, procedure sums and non-wit list
 Monday 20. Sitting in chambers
 Tuesday 21. Companies Acts and non-wit list
 Wednesday 22 Non-wit list
 Thursday ... 23 Non-wit list
 Friday 24. Mots and non-wit list
 Saturday ... 25. Sht caus, pets, procedure sums, and non-wit list
 Monday 27. Sitting in chambers
 Tuesday 28. Companies Acts and non-wit list

Wednesday 29 Non-wit list
 Thursday .. 30 Non-wit list
 Friday Dec. 1. Mots and non-wit list
 Saturday ... 2. Sht caus, pets, procedure sums and non-wit list
 Monday 4. Sitting in chambers
 Tuesday 5. Companies Acts and non-wit list
 Wednesday 6 Non-wit list
 Thursday ... 7 Non-wit list
 Friday 8. Mots and non-wit list
 Saturday ... 9. Sht caus, pets, procedure sums, and non-wit list
 Monday 11. Sitting in chambers
 Tuesday 12. Companies Acts and non-wit list
 Wednesday 13 Non-wit list
 Thursday ... 14 Non-wit list
 Friday 15. Mots and non-wit list
 Saturday ... 16. Sht caus, pets, procedure sums, and non-wit list
 Monday 18. Sitting in chambers
 Tuesday 19. Companies Acts and Non-wit list
 Wednesday 20. Mots and non-wit list
 Thursday .. 21. Remaining Matters

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard. The necessary papers, including two copies of minutes of the proposed judgment or order, must be left in Court with the judge's clerk not less than one clear day before the cause is to be put in the paper. In default the cause will not be put in the paper.

N.B.—The following papers on further consideration are required for the use of the judge, viz. :—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate. These must be left in Court with the judge's clerk not less than one clear day before the further consideration is ready to come into the paper.

CHANCERY COURT III.

MR. JUSTICE JOYCE.

Tues., Oct. 24. Mots
 Wednesday 25 Non-wit list
 Thursday .. 26 Non-wit list
 Friday 27. Mots and non-wit list
 Saturday .. 28. Sht caus, pets, and non-wit list
 Monday 30. Sitting in chambers
 Tuesday 31. Non-wit list
 Wed., Nov. 1 Non-wit list
 Thursday ... 2 Non-wit list
 Friday 3. Mots and non-wit list
 Saturday ... 4. Sht caus, pets, and non-wit list
 Monday 6. Sitting in chambers
 Tuesday 7. Non-wit list
 Wednesday 8 Non-wit list
 Thursday ... 9 Non-wit list
 Friday 10. Mots and non-wit list
 Saturday ... 11. Sht caus, pets, and non-wit list
 Monday 13. Sitting in chambers
 Tuesday 14. Non-wit list
 Wednesday 15 Non-wit list
 Thursday ... 16 Non-wit list
 Friday 17. Mots and non-wit list
 Saturday ... 18. Sht caus, pets, and non-wit list
 Monday 20. Sitting in chambers
 Tuesday 21. Non-witness list
 Wednesday 22 Non-witness list
 Thursday ... 23 Non-witness list
 Friday 24. Mots and non-wit list
 Saturday ... 25. Sht caus, pets, and non-wit list
 Monday 27. Sitting in chambers
 Tuesday 28. Non-wit list
 Wednesday 29 Non-wit list
 Thursday ... 30 Non-wit list
 Friday 31. Mots and non-wit list
 Saturday ... 32. Sht caus, pets, and non-wit list
 Monday 3. Sitting in chambers
 Tuesday 4. Non-wit list
 Wednesday 5 Non-wit list
 Thursday ... 6 Non-wit list
 Friday 7. Mots and non-wit list
 Saturday ... 8. Sht caus, pets, and non-wit list
 Monday 10. Sitting in chambers
 Tuesday 11. Non-wit list
 Wednesday 12 Non-wit list
 Thursday ... 13. Mots and non-wit list
 Saturday ... 16. Sht caus, pets, and non-wit list
 Monday 18. Sitting in chambers
 Tuesday 19. Non-witness list
 Wednesday 20. Mots and non-wit list
 Thursday ... 21. Non-wit list

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the

same can be put in the paper to be so heard, and the necessary papers, including two copies of the minutes of the proposed judgment or order, must be left with the judge's clerk one clear day before the cause is to be put into the paper.

M.B.—The following Papers on further

consideration are required for the use of the Judge, viz.:—Two copies of minutes of the proposed judgment or order, 1 copy pleadings, and 1 copy master's certificate, which must be left in court with the judge's clerk one clear day before the further consideration is ready to come into the paper.

High Court of Justice.—King's Bench Division.

MICHAELMAS SITTINGS, 1905.

Dates.	LORD CHIEF JUSTICE.	WILLS, J.	GRANTHAM, J.	LAWRENCE, J.	KENNEDY, J.	RIDLEY, J.	BOWMAN, J.	DARLING, J.	CHANNELL, J.	PHILLIMORE, J.	BOCKWILL, J.	WATKINS, J.	JULY, J.	RAY, J.	A. T. LAWRENCE, J.
1905. October 24															
" 25	Div. Court	Div. Court	S.E. Circuit	W. Circuit	Nisi Prius	Div. Court	Nisi Prius Bankruptcy and Rely and Canal Commission	Div. Court	Commercial List	Chambers	Nisi Prius	Nisi Prius	Nisi Prius	Nisi Prius	N. and S. Wales Circuit
November 1						Northern Circuit									
" 4															
" 7											Midland Circuit				
" 8															
" 13	Nisi Prius	Nisi Prius													
" 14															
" 30															
December 2															
" 4															
" 6															
" 13	Div. Court	Div. Court													
" 15															
" 21	End														

Two of His Majesty's Judges, yet to be selected, will attend the November and December Sessions of the Central Criminal Court.

Circuits of the Judges.

The following judges will remain in town: THE LORD CHIEF JUSTICE OF ENGLAND, WILLS, J., BIGHAM, J., CHANNELL, J., PHILLIMORE, J., and WALTON, J., during the whole of the Circuits; the other judges till their respective commission days.

N. AND S. WALES AND CHRETEL.	N. EASTERN.	NORTHERN.	MIDLAND.	OXFORD.	WESTERN.	S. EASTERN.	AUTUMN ASSIZES, 1905.
A. T. LAWRENCE, J.	Darling, J. Jeff, J.	Ridley, J. Ray, J.	Bucknill, J.	Kennedy, J.	Lawrence, J.	Grantham, J.	Commission Days.
Cardarvon Ruthin Chester Carnarvon Brecon Cardiff Newcastle Durham York (Civil Business)		Carlisle Lancaster Manchester 2 (Civ. & Crim.) Newcastle Durham York (Civ. & Crim.) Leeds 2 (End)	Aylesbury Bedford Northampton Leicester Lincoln Nottingham Derby Warwick (Civ. & Crim.) (End)	Reading Oxford Worcester Gloucester Monmouth Hereford Shrewsbury Stafford Birmingham 2 (Civ. & Crim.) (End)	Devizes Dorchester Wells Bodmin Exeter Winchester Bristol (End)	Cambridge B.E. Edmunds Norwich Chesham Chesham Hertford Lewes Maidstone Maidstone Guildford Guildford (End)	Wednesday, Oct. 25 Thursday, Oct. 26 Friday, Oct. 27 Saturday, Oct. 28 Sunday, Oct. 29 Monday, Oct. 30 Tuesday, Oct. 31 Wednesday, Nov. 1 Thursday, Nov. 2 Friday, Nov. 3 Saturday, Nov. 4 Sunday, Nov. 5 Monday, Nov. 6 Tuesday, Nov. 7 Wednesday, Nov. 8 Thursday, Nov. 9 Friday, Nov. 10 Saturday, Nov. 11 Sunday, Nov. 12 Monday, Nov. 13 Tuesday, Nov. 14 Wednesday, Nov. 15 Thursday, Nov. 16 Friday, Nov. 17 Saturday, Nov. 18 Sunday, Nov. 19 Monday, Nov. 20 Tuesday, Nov. 21 Wednesday, Nov. 22 Thursday, Nov. 23 Friday, Nov. 24 Saturday, Nov. 25 Sunday, Nov. 26 Monday, Nov. 27 Tuesday, Nov. 28 Wednesday, Nov. 29 Thursday, Nov. 30 Friday, Dec. 1 Saturday, Dec. 2 Sunday, Dec. 3 Monday, Dec. 4 Tuesday, Dec. 5 Wednesday, Dec. 6 Thursday, Dec. 7 Friday, Dec. 8 Saturday, Dec. 9 Sunday, Dec. 10 Monday, Dec. 11 Tuesday, Dec. 12 Wednesday, Dec. 13 Thursday, Dec. 14 Friday, Dec. 15 Saturday, Dec. 16 Sunday, Dec. 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May 22 Thursday, May 23 Friday, May 24 Saturday, May 25 Sunday, May 26 Monday, May 27 Tuesday, May 28 Wednesday, May 29 Thursday, May 30 Friday, May 31 Saturday, Jun. 1 Sunday, Jun. 2 Monday, Jun. 3 Tuesday, Jun. 4 Wednesday, Jun. 5 Thursday, Jun. 6 Friday, Jun. 7 Saturday, Jun. 8 Sunday, Jun. 9 Monday, Jun. 10 Tuesday, Jun. 11 Wednesday, Jun. 12 Thursday, Jun. 13 Friday, Jun. 14 Saturday, Jun. 15 Sunday, Jun. 16 Monday, Jun. 17 Tuesday, Jun. 18 Wednesday, Jun. 19 Thursday, Jun. 20 Friday, Jun. 21 Saturday, Jun. 22 Sunday, Jun. 23 Monday, Jun. 24 Tuesday, Jun. 25 Wednesday, Jun. 26 Thursday, Jun. 27 Friday, Jun. 28 Saturday, Jun. 29 Sunday, Jun. 30 Monday, Jul. 1 Tuesday, Jul. 2 Wednesday, Jul. 3 Thursday, Jul. 4 Friday, Jul. 5 Saturday, Jul. 6 Sunday, Jul. 7 Monday, Jul. 8 Tuesday, Jul. 9 Wednesday, Jul. 10 Thursday, Jul. 11 Friday, Jul. 12 Saturday, Jul. 13 Sunday, Jul. 14 Monday, Jul. 15 Tuesday, Jul. 16 Wednesday, Jul. 17 Thursday, Jul. 18 Friday, Jul. 19 Saturday, Jul. 20 Sunday, Jul. 21 Monday, Jul. 22 Tuesday, Jul. 23 Wednesday, Jul. 24 Thursday, Jul. 25 Friday, Jul. 26 Saturday, Jul. 27 Sunday, Jul. 28 Monday, Jul. 29 Tuesday, Jul. 30 Wednesday, Jul. 31 Thursday, Aug. 1 Friday, Aug. 2 Saturday, Aug. 3 Sunday, Aug. 4 Monday, Aug. 5 Tuesday, Aug. 6 Wednesday, Aug. 7 Thursday, Aug. 8 Friday, Aug. 9 Saturday, Aug. 10 Sunday, Aug. 11 Monday, Aug. 12 Tuesday, Aug. 13 Wednesday, Aug. 14 Thursday, Aug. 15 Friday, Aug. 16 Saturday, Aug. 17 Sunday, Aug. 18 Monday, Aug. 19 Tuesday, Aug. 20 Wednesday, Aug. 21 Thursday, Aug. 22 Friday, Aug. 23 Saturday, Aug. 24 Sunday, Aug. 25 Monday, Aug. 26 Tuesday, Aug. 27 Wednesday, Aug. 28 Thursday, Aug. 29 Friday, Aug. 30 Saturday, Aug. 31 Sunday, Sep. 1 Monday, Sep. 2 Tuesday, Sep. 3 Wednesday, Sep. 4 Thursday, Sep. 5 Friday, Sep. 6 Saturday, Sep. 7 Sunday, Sep. 8 Monday, Sep. 9 Tuesday, Sep. 10 Wednesday, Sep. 11 Thursday, Sep. 12 Friday, Sep. 13 Saturday, Sep. 14 Sunday, Sep. 15 Monday, Sep. 16 Tuesday, Sep. 17 Wednesday, Sep. 18 Thursday, Sep. 19 Friday, Sep. 20 Saturday, Sep. 21 Sunday, Sep. 22 Monday, Sep. 23 Tuesday, Sep. 24 Wednesday, Sep. 25 Thursday, Sep. 26 Friday, Sep. 27 Saturday, Sep. 28 Sunday, Sep. 29 Monday, Sep. 30 Tuesday, Oct. 1 Wednesday, Oct. 2 Thursday, Oct. 3 Friday, Oct. 4 Saturday, Oct. 5 Sunday, Oct. 6 Monday, Oct. 7 Tuesday, Oct. 8 Wednesday, Oct. 9 Thursday, Oct. 10 Friday, Oct. 11 Saturday, Oct. 12 Sunday, Oct. 13 Monday, Oct. 14 Tuesday, Oct. 15 Wednesday, Oct. 16 Thursday, Oct. 17 Friday, Oct. 18 Saturday, Oct. 19 Sunday, Oct. 20 Monday, Oct. 21 Tuesday, Oct. 22 Wednesday, Oct. 23 Thursday, Oct. 24 Friday, Oct. 25 Saturday, Oct. 26 Sunday, Oct. 27 Monday, Oct. 28 Tuesday, Oct. 29 Wednesday, Oct. 30 Thursday, Oct. 31 Friday, Nov. 1 Saturday, Nov. 2 Sunday, Nov. 3 Monday, Nov. 4 Tuesday, Nov. 5 Wednesday, Nov. 6 Thursday, Nov. 7 Friday, Nov. 8 Saturday, Nov. 9 Sunday, Nov. 10 Monday, Nov. 11 Tuesday, Nov. 12 Wednesday, Nov. 13 Thursday, Nov. 14 Friday, Nov. 15 Saturday, Nov. 16 Sunday, Nov. 17 Monday, Nov. 18 Tuesday, Nov. 19 Wednesday, Nov. 20 Thursday, Nov. 21 Friday, Nov. 22 Saturday, Nov. 23 Sunday, Nov. 24 Monday, Nov. 25 Tuesday, Nov. 26 Wednesday, Nov. 27 Thursday, Nov. 2

FROM THE PROBATE AND DIVORCE DIVISION.

(General List.)
1905.

In re G Ollis, dec Jones, F G W v Pelton (Probate) appl of F G W Jones from judgt of The President, dated April 10, 1905 April 20
Thomas Bater, petr v Catherine Bater orse Lowe, respt (Divorce) appl of petr from judgt of The President, dated May 18, 1905 July 8
Vigo, S, petr v Vigo, D, respt (Divorce) appl of petr from judgt of The President, dated July 17, 1905 July 21

FROM THE COUNTY PALATINE COURT OF LANCASTER.

(General List.)
1905.

In re Lot Dixon, dec Hartley Wood v J H Dixon and ors appl of defts from order of The Vice-Chancellor of the County Palatine of Lancaster, dated Feb 14, 1905 May 10
Manchester Billposting Co ld v Chapple appl of plfff from order of The Deputy Vice-Chancellor of the County Palatine of Lancaster, dated May 15, 1905 June 10
Scott v Bolton appl of defts from orders of The Vice-Chancellor of the County Palatine of Lancaster, dated May 2 and June 27, 1905 July 27

FROM THE KING'S BENCH DIVISION.

(In Bankruptcy.)

In re H F S Webb (ex pte C A Wright, Trustee) No. 779 of 1904 from an order of Mr Justice Bigham, dated 25th Oct, 1904
In re A Debtor (ex pte The Debtor) No 14 of 1905 from an order made by a Divisional Court (sitting in Bankruptcy), dated 1st Aug, 1905
In re R Thompson (ex pte The Bankrupt) No. 25 of 1892 from an order made by a Divisional Court (sitting in Bankruptcy), dated 1st Aug, 1905
In re The Debtors (ex pte The Debtors) Bankruptcy Notice, No 1956 of 1905 from an order of Mr Registrar Brougham, dated 12th Aug, 1905, refusing to set aside an Order Substituted Service of the Bankruptcy Notice herein
In re The Debtors (ex pte The Petitioning Creditor) No 1138 of 1905 from an order of Mr Registrar Giffard, dated 4th Oct, 1905, dismissing the petition
In re A Debtor (ex pte The Debtor) No 594 of 1905 from a receiving order made by Mr Registrar Giffard, dated 11th Oct, 1905

FROM THE KING'S BENCH DIVISION.

For Hearing.

(Final List.)
1904.

Sir Samuel Edward Scott, Bart, MP v Robert Stanford Brown appl of plfff from judgt of Mr Justice Joyce, dated Jan 18, 1904, without a jury, Middlesex (s o, pt hd, to be mentioned again by order of April 12, 1905), March 11

1905.

Armstrong v Gibbs and anr appl of plfff from judgt of The Lord Chief Justice, dated Dec 14, 1904, with a special jury, Middlesex Jan 3
Seymour (widow) v Fielden appl of plfff from judgt of Mr Justice Lawrence, dated Dec 21, 1904, without a jury, Middlesex Jan 27
Urban District Council of Teignmouth v Slocombe appl of defts from judgt of The Lord Chief Justice and Justices Kennedy and Ridley, dated Jan 13, 1905 Jan 27
In the Matter of the Devonport Corp'n Water Act, 1902, and In the Matter of an Arbitration between The Devonport Water Co and the Mayor, &c, of Devonport appl of the Devonport Water Co from judgt of Mr Justice Phillimore, dated Jan 24, 1905 (special case) Feb 1
In re an Arbitration between the Devonport Water Co and the Devonport Corp'n appl of the Devonport Corp'n from judgt of Mr Justice Phillimore, dated Jan 24, 1905 (special case) Feb 2
Ruffe v Whiffin and ors appl of plfff from order of Mr Justice Grantham, dated Jan 21, 1905, without a jury, Ipswich Feb 2
Ridson Iron and Locomotive Works v Furness appl of plffs from judgt of Mr Justice Kennedy, dated Jan 11, 1905, without a jury, Middlesex Feb 3
The Southern Coal Co of New South Wales ld v G S Yuill & Co ld appl of defts from judgment of Mr Justice Warrington, dated Jan 31, 1905, without a jury, Middlesex Feb 7
Wilson and ors v Grant and ors appl of plffs from judgt of Mr Justice Ridley, dated Nov 28, 1904, without a jury, Middlesex (security by consent, dated April 10) Feb 8
Clegg v Wilson's Brewery ld appl of defts from judgt of Mr Justice Walton, dated Feb 1, 1905, with a special jury, Salford, Lancaster Feb 14
Wulfert v Rasch and anr appl of defts from judgt of Mr Justice Walton, dated Jan 20, 1905, without a jury, Middlesex Feb 15
Chapman v Waring & Gillow ld appl of defts from judgt of Mr Justice Darling, dated Feb 1, 1905, with a special jury, Middlesex, and cross-notice by plfff, dated March 24, 1905 Feb 16
Bannatyne v Mac-Iver appl of plfff from judgt of Mr Justice Grantham, dated Feb 6, 1905, without a jury, Middlesex Feb 17
Newman (trading, &c) v British Oil Cake Mills ld appl of plfff from judgt of Mr Justice Ridley, dated Nov 22, 1904, Middlesex, and cross-notice by defts, dated March 1, 1905 Feb 18
Foster v The Urban District Council of Warblington appl of dfts from judgt of Mr Justice Walton, dated Jan 23, 1905, without a jury, Middlesex Feb 24
Lancaster & Cunningham ld v Bloomer and ors appl of defts from judgt of Mr Justice Darling, dated Feb 16, 1905, with a special jury, Middlesex Feb 25

Greaves v Curtis, Gardner, & Co and ors appl of defts Henderson, Murray, & Co and Shepherd from judgt of Mr Justice Darling, dated Feb 23, 1905, with a special jury, Middlesex (security ordered) March 7
Simpson City Assets Co ld (and Quinlan Liquidator of the said Co) v Griffin appl of defts from judgt of Mr Justice Jelf, dated March 9, 1905, with a common jury, Middlesex March 17
Spilsbury v Ward and Lennon appl of plfff from judgt of Mr Justice Warrington, dated March 9, 1905, without a jury, Middlesex March 17
In the Matter of the Agricultural Holdings (England) Acts, 1883 to 1900, and In the Matter of an Arbitration between Joseph Cundall (respt) and Sir W E J Vavasour, Bart (applt) appl of Sir W E J Vavasour (applt) from judgment of Judge Temperley, dated March 8, 1905, County Court of Yorkshire, Tadcaster March 22
Waite v Jennings appl of defts from judgt of Mr Justice Darling, dated March 18, 1905, without a jury, Middlesex March 23
Palethorpe v The Home Brewery Co appl of defts from judgt of Mr Justice Farwell, dated March 1, 1905, Middlesex March 27
Stuckey v Hooke appl of defts from judgt of Mr Justice Warrington, dated March 20, 1905, without a jury, Middlesex March 30
Geary, Walker, & Co ld v Walter Lawrence & Son appl of defts from judgt of Mr Justice Kennedy, dated March 28, 1905, without a jury, Middlesex April 6
Hickbottom v O'Gram appl of defts from judgt of Mr Justice Ridley, dated March 30, 1905, without a jury, Leeds April 7
Rumboll v Bunting appl of plfff from judgt of Mr Justice Channell, dated March 11, 1905, without a jury, Middlesex April 12
The Agricultural Holdings, England, Acts, 1883 to 1900 In the Matter of an Arbitration between John Smith (Tenant) and the Duke of Devonshire (Landlord) appl of J Smith from judgt of His Honour the Judge of the Court of Middlesex, Brentford, dated April 7, 1905 April 14
Weeks v Weeks appl of plfff from judgt of Mr Justice Lawrence, dated Feb 22, 1905, without a jury, Bristol April 17
Bassan v Taylor appl of defts from judgt of Mr Justice Darling, dated April 10, 1905, with a common jury, London April 19
Guardians, &c, of Southwark Union v Guardians, &c, of the City of London appl of The Southwark Guardians from judgt of The Lord Chief Justice and Justices Kennedy and Ridley, dated April 12, 1905 April 19
London and North Western Ry Co v Jones appl of defts from judgt of Mr Justice Walton, dated Dec 20, 1904, without a jury, Chester April 26
Lambert v Tewksbury appl of defts from judgt of Mr Justice Jelf, dated April 14, 1905, without a jury, Middlesex April 28
Lumsden v The Shipcote Land Co appl of plfff from judgt of Mr Justice Ridley, dated March 2, 1905, with a special jury, Newcastle on Tyne May 1
Woolwich Union (Applts) v Fulham Guardians (Respts) appl of applts from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated April 13, 1905 May 3
Alexander & Sons v The Caspian Cold and Alfred Stuart appl of defts from judgt of Mr Justice Channell, dated April 1, 1905, Middlesex May 4
Carlton (trading as E Carlton & Co) v The Camberwell Palace of Varieties appl of plfff from judgt of Mr Justice Grantham, dated May 2, 1905, without a jury, Middlesex May 16
Tewson and ors v Dainty appl of defts from judgt of Mr Justice Phillimore, dated May 13, 1902, without a jury, Middlesex May 20
Bachmann and anr v Aschenbach and anr appl of defts from judgt of Mr Justice Channell, dated April 19, 1905, without a jury, Middlesex May 22
Weiner v Smith and anr Same v Gill and ors appl of defts from judgt of Mr Justice Bray, dated April 19, 1905, without a jury, Middlesex May 23
In re an Arbitration between the Council of the Administrative County of Durham and the Mayor, &c, of the County Borough of West Hartlepool appl of the Mayor, &c, of West Hartlepool from judgt of Mr Justice Channell, dated May 10, 1905 (special case), and cross-notice by County of Durham, dated June 3, 1905 May 24
The King on the relation of William James (Applicant) v J B Melladew (Respt) appl of applicant from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 15, 1905 May 24
Clark v The London General Omnibus Co ld appl of defts from judgt of Mr Justice Darling, dated May 11, 1905, with a common jury, Middlesex May 29
Farrington Works, &c, Co ld v Kelly appl of defts from judgt of Mr Justice Channell, dated May 17, 1905, without a jury, Middlesex May 30
Felton v Wharrie appl of plfff from judgt of Mr Justice Darling, dated May 29, 1905, jury discharged, Middlesex (security ordered) June 1
Williamson & Son v Pilkington appl of plffs from judgt of Mr Justice Kennedy, dated Dec 1, 1902, without a jury, Middlesex (re-entered by leave, May 31, 1905, and advanced by order) June 2
Lloyd's Bank v Medway (Upper) Navigation Co appl of defts from judgt of Mr Justice Channell, dated May 19, 1905, without a jury, Middlesex June 3
Lewis v Baker appl of plfff from judgt of Mr Justice Jelf, dated May 23, 1905, without a jury, London June 6
In re Hubert Aldridge, gentleman, solr, &c (expte G Beswick-Darley) appl of G Beswick-Darley from judgt of Mr Justice Jelf, dated June 5, 1905 June 7
Swanley Coal Co v Denton (Gillespie, clmt) appl of clmt from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 31, 1905 June 7

- Brinsmead & Goddard v Ellis appl of plttf from judgt of Mr Justice Jelf, dated May 17, 1905, without a jury, Middlesex June 7
- Cowley v Whittoome appl of plttf from judgt of Mr Justice Darling, dated May 30, 1905, with a common jury, Middlesex June 8
- Grunnell v Welch appl of plttf from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 26, 1905 June 8
- Everall v Brown appl of plttf from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 22, 1905 (security ordered) June 9
- Key v Meath Rural District Council appl of defts from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 24, 1905 June 9
- Walker (widow) v Smith and anr appl of defts from judgt of The Lord Chief Justice and Justices Kennedy and Ridley, dated May 26, 1905 June 14
- Capel & Co v A E Cave (a married woman) W F Cave, clmt appl of plttfs from judgt of the Lord Chief Justice and Justices Kennedy and Ridley, dated May 30, 1905 June 14
- Devonald v Rosser & Sons appl of defts from judgt of Mr Justice Jelf, dated June 6, 1905, without a jury, Middlesex June 15
- The Temperley Steam Shipping Co v Smales, Beles, & Co and ors appl of defts from judgt of Mr Justice Channell, dated April 10, 1905 (Commercial List) (security ordered) June 15
- The Twin Syndicate ld v Appollonia Concessions ld appl of defts from judgt of Mr Justice Lawrence, dated June 3, 1905 June 16
- T W Davies (Trustee in Bankruptcy of the Estate of W Watson, a Bankrupt) v Petrie (widow) appl of deft from judgt of Mr Justice Channell, dated June 8, 1905 June 17
- Vernon's Patent Horse Shoe Co ld v Macdonald appl of plttfs dated from of Mr Justice Jelf, dated May 26, 1905, without a jury, Middlesex (security ordered) June 19
- Kershaw v Evans and anr appl of defts from judgt of The Lord Chief Justice and Justices Kennedy and Ridley, dated May 30, 1905 June 20
- Dott v The Andalucia Lead and Silver Mining Co ld appl of defts from judgt of Mr Justice Buckley, dated May 24, 1905, without a jury, Middlesex June 27
- Griffin & Sons ld v Vautin & Joll appl of defts from judgt of Mr Justice Bigham, dated May 31, 1905, without a jury, Middlesex (security ordered) June 28
- Lowe v Doring & Son appl of defts from judgt of The Lord Chief Justice and Justices Kennedy and Ridley, dated June 20, 1905 July 4
- Sheppard v Bond appl of plttf from judgt of Mr Justice Warrington, dated March 21, 1905, without a jury, Middlesex July 5
- Phoenix Assee Co ld v Spooner appl of deft from judgt of Mr Justice Bigham, dated June 3, 1905, without a jury, Middlesex July 5
- The British and South American Steam Navigation Co ld v The British and Foreign Marine Insee Co ld appl of plttfs from judgt of Mr Justice Channell, dated March 28, 1905, without a jury, Middlesex July 6
- Bond and ors v The Federal Steam Navigation Co ld appl of plttfs from judgt of Mr Justice Channell, dated April 13, 1905, without a jury, Middlesex July 13
- Callow v Weaver appl of defts from judgt of Mr Justice A T Lawrence, dated May 25, 1905 July 18
- Fieldings v McCulloch and Wife appl of defts from judgt of Mr Justice Ridley, dated June 3, 1905, without a jury, Middlesex (security ordered) July 18
- The Wardens and Commonalty of the Mystery of Goldsmiths of the City of London v William Wyatt appl of plttfs from judgt of Mr Justice Channell, dated July 6, 1905 July 18
- E Barnes & Sons ld v Thompson appl of plttfs from judgt of Mr Justice Bigham, dated July 7, 1905, without a jury, Middlesex July 21
- Hecht and anr v The Egyptian and Soudan Agency ld appl of defts from judgt of Mr Justice Channell, dated June 29, 1905, without a jury, Middlesex July 21
- Smith v Blake appl of deft from judgt of Mr Justice Darling, dated June 24, 1905, without a jury, Middlesex July 24
- Kemp v Baeresehnau appl of deft from judgt of Mr Justice Channell, dated July 14, 1905, without a jury, Middlesex July 24
- Gray v The Oxford ld appl of plttf from judgt of Mr Justice Phillimore, dated July 14, 1905, without a jury, Middlesex July 25
- North London Ry Co v London and India Docks Co appl of plttfs from order of Mr Justice Walton, dated July 11, 1905, without a jury, Middlesex July 27
- The London and Westminster Bank ld v H. Stevens & Co and Moise de Castro appl of deft from judgt of Mr Justice Darling, dated July 8, 1905, without a jury, Middlesex (security ordered) July 28
- J Lang v G E Heyl-Dia appl of deft from judgt of Mr Justice Channell, dated July 7, 1905, without a jury, Middlesex July 28
- North-Eastern 100a Steamship Assee Assoc v The Red S Steamship Co ld appl of defts from judgt of Mr Justice Channell, dated July 1, 1905, without a jury, Middlesex July 29
- The Great Northern Ry Co v The Assessment Committee of the Edmonton Union and the Overseers of the Poor of the Parish of Hornsey appl of The Great Northern Ry Co from judgt of Mr Justice Channell, dated July 1, 1905 July 29
- Bede Steam Shipping Co v The River Wear Commissioners appl of defts from judgt of Mr Justice Jelf, dated July 18, 1905, without a jury, Durham July 29
- Edwards v The London, Edinburgh, and Glasgow Assee Co ld appl of plttf from judgment of Mr Justice Darling, dated May 8, 1905, jury discharged, Middlesex Aug 1
- Wild v The English Sewing Cotton Co ld appl of plttf from judgt of Mr Justice Walton, dated July 19, 1905, jury discharged, Salford Aug 1
- Waters (trading as F S Waters & Co) v Gallagher & Co appl of plttf from judgt of The Lord Chief Justice, dated July 21, 1905, Middlesex Aug 2
- Bridget Garry (Wife of Thomas Gerald Garry) v Slatyer appl of deft from judgt of Mr Justice Ridley, dated July 23, 1905 Aug 5
- Ross v Ellis appl of plttf from judgt of Mr Justice A T Lawrence, dated Aug 2, 1905 Aug 10
- May and anr v Eiloart appl of plttfs from judgt of Mr Justice Lawrence, dated July 29, 1905, Middlesex Aug 12
- Sales Co ld v David Jones & Co appl of plttfs from judgt of Mr Justice A T Lawrence, dated Aug 10, 1905, without a jury, Middlesex Aug 15
- Austin Friars SS Co ld (applicants) v Strack and 18 ors (resps) appl of applicants from judgt of Justices Kennedy and Ridley, dated May 29, 1905 Aug 17
- Same v Strack appl of applicants from judgt of Justices Kennedy and Ridley, dated May 29, 1905 Aug 17
- The Urban District Council of Wood Green (applicants) v Louis Joseph (respt) appl of applicants from judgt of The Lord Chief Justice and Justices Lawrence and Ridley, dated Aug 3, 1905 Aug 22
- Mason ld v Lovatt appl of plttf from judgt of The Lord Chief Justice and Justices Lawrence and Ridley, dated Aug 10, 1905 Aug 22
- Bagley v Smith appl of deft from judgt of Mr Justice Grantham, dated Aug 11, 1905, without a jury, Leeds Aug 23
- Nathan and ors v Ogdens ld appl of defts from judgt of Mr Justice A T Lawrence, dated Aug 11, 1905 Aug 25
- Payton and anr v Clarke and anr appl of plttfs from judgt of Mr Justice Wills, dated Aug 11, 1905, without a jury, Birmingham Sept 2
- Sulman and Picard v Wolf appl of deft from judgt of Mr Justice Buckley (Additional Judge), dated May 20, 1905, without a jury, Middlesex Sept 2
- Stevens v The Midland Ry of Western Australia ld and William Trotter appl of defts The Midland Ry of Western Australia ld from judgt of Mr Justice Darling, dated Aug 10, 1905, without a jury, Middlesex Sept 6
- Moram, Galloway, & Co v Uziell and ors appl of plttfs from judgt of Mr Justice Walton, without a jury, Middlesex Sept 11
- Witham & Co ld v Hughes appl of deft from order of Mr Justice A T Lawrence in Chambers, dated Sept 5, 1905 Sept 11
- French v Howie and Wife appl of deft W J Howie from order of The Lord Chief Justice and Justices Kennedy and Jelf, dated June 27, 1905 Sept 26

FROM THE PROBATE, DIVORCE, AND ADMIRALTY DIVISION

(ADMIRALTY).

FOR HEARING.

With Nautical Assessors.

(Final List.)

1905.

- Oravia—1904—Folio 438 The Owners of the Steamship Nereus and the Owners of the Cargo now or lately therein v The Owners of the Steamship Oravia appl of defts from judgt of Mr Justice Barnes, dated Feb 1, 1905 Feb 24
- Bearn—1904—Folio 32 The Compagnie Maritime de la Seine, the Owners of the Steamship Bearn v The Shoreham Harbour Trustees and the London, Brighton and South Coast Ry Co (damage) appl of The Shoreham Harbour Trustees (some of the defts) from judgt of Mr Justice Bargrave Deane, dated March 31, 1905 April 10
- Bearn—1904—Folio 32 The Compagnie Maritime de la Seine, the Owners of the Steamship Bearn v The Shoreham Harbour Trustees and the London, Brighton and South Coast Ry Co (damage) appl of the London, Brighton and South Coast Ry Co (some of the defts) from judgt of Mr Justice Bargrave Deane, dated March 31, 1905 April 10
- Wenvoe—1904—Folios 518 and 516 The Owners of Steamship Cereda v the Owners of Steamship Wenvoe (damage) appl of plttf from judgt of Mr Justice Bargrave Deane, dated April 14, 1905 April 28
- Cambrian Monarch—1905—Folio 509 The Clyde Shipping Co ld and ors v the Owners of the Cambrian Monarch, her cargo and freight appl of plttfs from judgt of the President and Mr Justice Bargrave Deane, dated April 5, 1905 May 4
- Chaucer—1905—Folio 213 The Owners of Steamship Highland Mary v The Owners of Steamship Chaucer (damage) appl of plttfs from judgt of Mr Justice Bargrave Deane, dated April 15, 1905 May 10
- Alleghany—1905—Folio 124 The Owners of Steamship Stelling and freight v The Owners of Steamship Alleghany and freight (damage) appl of defts from judgt of The President, dated May 11, 1905 May 26
- Hirondelle—1904—Folio 449 The Commissioners for Executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland v The General Steam Navigation Co (damage) appl of plttfs from judgt of Mr Justice Bargrave Deane, dated April 17, 1905 June 23
- Stevens and ors v Griffiths and anr "The Irish Minstrel" (breach of charter-party) appl of defts from judgt of Mr Justice Bargrave Deane, dated July 28, 1905 Aug 12

Without Nautical Assessors.

(Final List.)

- Scarsdale—1904—Folio 464 Charles Baxter v Colin Mc Diamid appl of deft from judgt of Mr Justice Bargrave Deane, dated May 8, 1905 May 15

FROM THE KING'S BENCH DIVISION.

(New Trial Paper.)

1904.

- Tavistock Rural District Council v Duke & Co ld appl of defts for judgt or new trial on appl from verdict and judgt, dated June 28, 1904, at trial before Mr Justice Ridley and a special jury, Exeter Aug 6

1905.

Ogden v The Gas Light and Coke Co appln of debts for judgt or new trial on appl from verdict and judgt, dated March 17, 1905, at trial before Mr Justice Darling and a special jury, Middlesex March 24

Smith v Same appln of debts for judgt or new trial on appl from verdict and judgt, dated March 17, 1905, at trial before Mr Justice Darling and a special jury, Middlesex (consolidated actions) March 24

Pulling v Earle appln of debt for judgt or new trial on appl from verdict and judgt, dated May 23, 1905, at trial before Mr Justice Walton and a special jury, Manchester June 2

Hobson v Bicknell appln of debt for judgt or new trial on appl from verdict and judgt, dated May 19, 1905, at trial before Mr Justice Walton and a special jury, Liverpool June 13

Jones v Williams appln of debt for judgt or new trial on appl from verdict and judgt, dated June 9, 1905, at trial before Mr Justice Phillimore and a common jury, Carnarvon June 30

Ahronsberg v Rubery, C de B Taylor and The R L Motor Engineering Co ld appln of plttf against debt Taylor for judgt or new trial on appl from verdict and judgt, dated June 9, 1905, at trial before Mr Justice Wills and a special jury, Middlesex June 30 Same v Same appln of debt Rubery from same judgt for new trial, &c June 30 Same v Same appln of debts R L Motor Engineering Co ld from same judgt for new trial, &c

Angus v The London, Tilbury and Southend Ry Co appln of debts for judgt or new trial on appl from verdict and judgt, dated June 22, 1905, at trial before Mr Justice Phillimore and a common jury, Middlesex July 1

Lancashire and Yorkshire Ry Co v Devenport and ors appln of plttfs for judgt or new trial on appl from verdict and judgt, dated June 22, 1905, at trial before Mr Justice Walton and a special jury, Manchester July 10

Ramsey v The London United Tramways (1901) ld appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 7, 1905, at trial before Mr Justice Bucknill and a special jury, Middlesex July 13

Thomas v Bradbury, Agnew & Co ld appln of debts for judgt or new trial on appl from verdict and judgt, dated July 6, 1905, at trial before Mr Justice Darling and a special jury, Middlesex July 13

Hepburn v The London and North Western Ry Co appln of debts for judgt or new trial on appl from verdict and judgt, dated June 5, 1905, at trial before Mr Justice Walton and a special jury, Liverpool, fur con in London July 14

The Mayor, &c of East Ham v The Ilford Gas Co appln of debts for judgt or new trial on appl from verdict and judgt, dated July 12, 1905, at trial before The Lord Chief Justice and a special jury, Middlesex July 19

Thurston v Charles appln of debt for judgt or new trial on appl from verdict and judgt, dated July 11, 1905, at trial before Mr Justice Walton and a special jury, Liverpool (fur con in London) July 20

Fawcett v Earle appln of debt for judgt or new trial on appl from verdict and judgt, dated July 11, 1905, at trial before Mr Justice Wills and a special jury, Middlesex July 24

Wiggins v Wandsworth Borough Council appln of debts for judgt or new trial on appl from verdict and judgt, dated July 8, 1905, at trial before The Lord Chief Justice and a special jury, Middlesex July 26

Ward, Lock & Co v Operative Printers' Assistants' Soc and anr appln of debts for judgt or new trial on appl from verdict and judgt, dated July 17, 1905, at trial before Mr Justice Darling and a special jury, Middlesex July 26

Davies v The Great Western Ry Co appln of debts for judgt or new trial on appl from verdict and judgt, dated July 10, 1905, at trial before Mr Justice Wills and a special jury, London July 28

Petrini v Guidi appln of debt for judgt or new trial on appl from verdict and judgt, dated July 19, 1905, at trial before Mr Justice Ridley and a common jury, Middlesex Aug 1

Beech v Chatwin appln of debt for judgt or new trial on appl from verdict and judgt, dated July 19, 1905, at trial before Mr Justice Lawrence without a jury, Nottingham Aug 3

Reynolds (widow) v The London General Omnibus Co appln of debts for judgt or new trial on appl from verdict and judgt, dated July 20, 1905, at trial before Mr Justice Ridley and a common jury, Middlesex Aug 8

Cory and anr v Plymouth Breweries ld appln of debts for judgt or new trial on appl from verdict and judgt, dated June 30, 1905, at trial before Mr Justice Ridley and a special jury, Exeter Aug 9

The Ocean Accident and Guarantee Corpn ld and ors v The Ilford Gas Co appln of debts for judgt or new trial on appl from verdict and judgt, dated July 26, 1905, at trial before Mr Justice Lawrence and a special jury, Middlesex

Vibert v Orange and anr appln of debts Tasman Syndicate for judgt or new trial on appl from verdict and judgt, dated July 28, 1905, at trial before Mr Justice A T Lawrence and a common jury, Middlesex Aug 11

The Bispham Hall Colliery Co v Johnson appln of debt for judgt or new trial on appl from verdict and judgt, dated July 28, 1905, at trial before Mr Justice Walton and a special jury, Middlesex Aug 11

Solon v Ashwell and anr appln of debts for judgt or new trial on appl from verdict and judgt, dated Aug 4, 1905, at trial before Mr Justice Darling and a special jury, Birmingham Aug 12

Rhodes v Mayor and Corpn of Heywood appln of debts for judgt or new trial on appl from verdict and judgt, dated July 25, 1905, at trial before Mr Justice Kennedy and a common jury, Manchester Aug 24

Killen v Cohen (trading and sued as Lewis's) appln of debt for judgt or new trial on appl from verdict and judgt, dated Aug 17, 1905, at trial before The Hon Judge Taylor, KC, and a special jury, Court of Passage, Liverpool Sept 6

Davies & Co ld v Crosfield and ors appln of debts for judgt or new trial on appl from verdict and judgt, dated Aug 10, 1905, at trial before Mr Justice Walton and a special jury, Liverpool Oct 7

FROM THE KING'S BENCH DIVISION.

(Interlocutory List.)

1905.

Lloyd's Bank ld v The Medway (Upper) Navigation Co appl of plttfs from order of Mr Justice Bucknill, dated July 24, 1905 July 26

Chitty v The British Westinghouse Electric and Manufacturing Co ld appl of debts from order of Mr Justice Bucknill, dated July 10, 1905 July 28

Wyatt v Stevenson and ors appl of debts from order of Mr Justice Bucknill, dated July 27, 1905 Aug 2

The United States Shipping Co v The Empress Assee Corpn appl of plttfs from order of Mr Justice Bigham, dated Aug 1, 1905 Aug 3

Williams v Rees appl of plttf from order of Mr Justice Channell, Swansea Assizes, dated July 26, 1905 Aug 3

Downs v Worley appl of debts from order of Mr Justice Bucknill, dated Aug 3, 1905 Aug 9

Straker v The London Society of Compositors (a Registered Trade Union) and ors appl of plttfs from order of Mr Justice Bucknill, dated July 28, 1905 Aug 9

Dessau v Rowley appl of debt from order of Mr Justice Bucknill, dated July 28, 1905 Aug 10

Warwick v Warwick appl of debt from order of Mr Justice Bucknill, dated July 19, 1905 Aug 10

Dudley Co-operative Soc ld v William Burn (Henry Burn, clmt) appl of plttfs from order of Mr Justice Bucknill, dated Aug 4, 1905 Aug 11

Preston v Briggs appl of plttf from order of Mr Justice Bucknill, dated Aug 4, 1905 Aug 12

United Mills Flour Co v Russell & Co appl of debt from order of Mr Justice Bigham, dated Aug 8, 1905 Aug 15 (first day of Michaelmas Sittings, by order)

Wyer and anr v Isaac Lewis and ors appl of plttfs from order of Mr Justice Bucknill, dated Aug 8, 1905 Aug 15

Bainbridge and anr v His Majesty's Postmaster-General and anr appl of His Majesty's Postmaster-General from order of Mr Justice Walton, dated Aug 8, 1905 Aug 15

Baxter and ors v Midland Ry Co appl of plttf from order of Mr Justice A T Lawrence, dated July 31, 1905 Aug 15

The King v Drinkwater and ors (ex pte Conway) appl by Original Motion Rule Nisi granted by Court of Appeal to JJ to hear and determine application for License Aug 16 (first day of Michaelmas, by order)

Smith and ors v Eardley appl of debt from order of Mr Justice Bucknill, dated Aug 5, 1905 Aug 17

Weinberg v Ugdens ld appl of plttf from order of Mr Justice A T Lawrence, dated Aug 10, 1905 Aug 18

Smithers (trading as C Smithers & Son) v The National Association of Operative Plasterers and ors appl of debt Association from order of Mr Justice Bucknill, dated Aug 8, 1905 Aug 19

Webb v Buckmaster, Edwards, and Clayton appl of debts Buckmaster and Edwards from order of Mr Justice Bucknill, dated Aug 9, 1905 Aug 24

Bryan, Donkin, & Clench ld v The British Vacuum Cleaner Co ld and Messrs Norris & Henty, clmts appl of plttfs from order of Mr Justice Bucknill, dated Aug 12, 1905 Aug 28

Salaman v Secretary of State in Council appl of plttf from order of Mr Justice Bucknill, dated Aug 16, 1905 Aug 31

Hutson v The Malling Rural District Council appl of debts from order of Mr Justice A T Lawrence, dated Aug 24, 1905 Sept 4

Gomall v Wittstock appl of plttf from order of Mr Justice Bray, dated Sept 19, 1905 Oct 5

In re The Workmen's Compensation Act, 1897.

FROM COUNTY COURTS.

1905.

Howells v Davies & Thomas appl of respts from award of County Court (Glamorganshire, Pontypridd), dated Jan 13, 1905 Feb 2

Clark v Clark, Mary Ann (trading as G Clark & Son) appl of respt from award of County Court (Warwickshire, Birmingham), dated April 11, 1905 May 1

F M Matthews (widow of W Matthews) v Bristol Tramways and Carriage Co ld appl of respts from award of County Court (Gloucestershire, Bristol), dated April 19, 1905 May 3

Smith v Cole appl of respt from award of County Court (Wiltshire, Salisbury), dated May 11, 1905 June 1

Osmond v Campbell & Harrison ld appl of respts from award of County Court (Yorkshire, Bradford), dated May 15, 1905 June 1

Morris v New Hucknall Colliery Coal Co ld appl of applt from award of County Court (Nottinghamshire, Mansfield), dated May 11, 1905 June 1

Lewis v Garw Braichycymmer Collieries Co ld appl of respts from award of County Court (Glamorganshire, Bridgend), dated May 26, 1905 June 16

Bist v London and South Western Ry Co appl of applicant from award of County Court (Hampshire, Basingstoke), dated June 5, 1905 June 16

The Mayor, &c, of the County Borough of Cardiff v William Rogers appl of applicant from award of County Court (Glamorganshire, Cardiff), dated June 10, 1905 (stay granted pending appeal) June 30

Coulthard, Elizabeth Ann v The Consett Iron Co appl of respts from award of County Court (Northumberland, Newcastle on Tyne), dated June 22, 1905 July 11

Medland v Morrison & Co appl of respt from award of County Court (Yorkshire, Stokesley and Guisborough), dated June 23, 1905 July 13
 Lampert & Holt v Murphy appl of respt from award of County Court (Lancashire, Yorkshire), dated June 26, 1905 July 15
 Thompson (administratrix) and ors v F and W Sinclair appl of respt from award of County Court (Lancashire, Liverpool), dated June 30, 1905 July 15
 Peter Willsher v John Thomas Wasse appl of applicant from award of County Court (Yorkshire, Kingston upon Hull), dated July 1, 1905 July 20
 Murphy v O'Donnell appl of respt from award of County Court (Yorkshire, Leeds), dated July 5, 1905 July 22
 Morris v The Lambeth Borough Council appl of applicant from award of County Court (Surrey, Lambeth), dated July 6, 1905 July 27
 Wilson v The London and Rochester Barge Co appl of applicant from award of County Court (Middlesex, Marylebone), dated July 6, 1905 July 27
 Hancock v The Donisthorpe Colliery Co ld appl of respts from award of County Court (Leicestershire, Ashby de la Zouch), dated July 13, 1905 Aug 3
 Adams v Shaddock appl of respt from award of County Court (Devonshire, Plymouth and East Stonehouse), dated July 20, 1905 Aug 9
 Boylan v Ffaldau Collieries Co ld appl of respts from award of County Court (Glamorganshire, Bridgend), dated July 20, 1905 Aug 9
 Hopper v Bolckow, Vaughan & Co ld appl of respts from award of County Court (Durham), dated July 24, 1905 Aug 12
 The Gypsum Mines ld v French appl of applicants from award of County Court (Sussex, Hastings), dated July 31, 1905 Aug 21
 Turner v Wilkinson appl of respt from award of County Court (Lincolnshire, Great Grimsby), dated Aug 17, 1905 Sept 5
 White v Rice & Co appl of respts from award of County Court (Gloucestershire, Tewkesbury), dated Aug 22, 1905 Sept 11
 Elizabeth Milward v The Staveley Coal and Iron Co ld appl of respts from award of County Court (Derbyshire, Chesterfield), dated Aug 29, 1905 Sept 13
 Zachariah Griffiths v The Wymstay Colliery Co ld appl of applicant from award of County Court (Denbighshire, Wrexham), dated Sept 13, 1905 Oct 3
 Hughes v Sanderman and anr appl of respts from award of County Court (Carnarvonshire, Carnarvon), dated Sept 20, 1905 Oct 10
 Vokes v Featherby appl of respt from award of County Court (Kent, Rochester), dated Sept 19, 1905 Oct 10
 Seniscal v Anglo-American Oil Co ld appl of respts from award of County Court (Middlesex, Bow), dated Oct 6, 1905 Oct 13
 Spacey v Dowlais Gas and Coke Co ld appl of respts from award of County Court (Glamorganshire, Merthyr Tydfil), dated Oct 5, 1905 Oct 13
 N.B.—The above List contains Chancery, Palatine, and King's Bench Final and Interlocutory Appeals, &c, set down to October 14, 1905.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

MICHAELMAS SITTINGS, 1905.

NOTICES RELATING TO THE CHANCERY CAUSE LIST.

Motions, Petitions, and Short Causes will be taken on the days stated in the Michaelmas Sittings Paper.

Mr. Justice KEKEWICH.—Except when other business is advertised in the Daily Cause List, Mr. Justice Kekewich will sit for the disposal of His Lordship's Witness List daily throughout the sittings, to the exclusion of other business.

Mr. Justice FARWELL will take his business as announced in the Michaelmas Sittings Paper.

Mr. Justice BUCKLEY will take his business as announced in the Michaelmas Sittings Papers.

Mr. Justice JOYCE will take his business as announced in the Michaelmas Sittings Papers.

Mr. Justice SWINFEN EADY.—Except on the Saturdays reserved for Liverpool and Manchester Business Mr. Justice Swinfen Eady will take actions with witnesses daily throughout the sittings.

Liverpool and Manchester Business.—Mr. Justice SWINFEN EADY will take Liverpool and Manchester Business as follows: Summonses in Chambers, Motions, Short Causes, Petitions, and Adjourned Summonses on Saturdays the 28th October, 11th November, 25th November, and 9th December.

Mr. Justice WARRINGTON.—Except when other business is in the Daily Cause List, Mr. Justice Warrington will sit for the disposal of His Lordship's Witness List daily throughout the sittings.

Summonses before the Judge in Chambers.—Mr. Justice FARWELL, Mr. Justice BUCKLEY and Mr. Justice JOYCE will sit in court every Monday during the sittings to hear Chamber Summonses.

Summonses Adjourned into Court and Non-Witness Actions will be heard by Mr. Justice FARWELL, Mr. Justice BUCKLEY and Mr. Justice JOYCE.

SPECIAL NOTICE WITH REFERENCE TO THE CHANCERY WITNESS LISTS.

During the Michaelmas Sittings the judges will sit for the disposal of Witness Actions as follows:

Mr. Justice KEKEWICH will take his Witness List as announced above.
 Mr. Justice BUCKLEY will take his Retained Witness Actions as announced in the Daily Cause List.

Mr. Justice JOYCE will take the Retained Witness Actions as announced in the Daily Cause List.

Mr. Justice SWINFEN EADY will take his Witness List as announced above.

Mr. Justice WARRINGTON will take his Witness List as announced above.

Chancery Causes for Trial or Hearing.

(Set down to October 16th, 1905.)

Before Mr. Justice KEKEWICH.
 Retained by Order.
 Petition.
 In re Cave, Edwards, & Co ld and reduced ptn, &c. (Oct 28)

Causes for Trial (with Witnesses).

Fear v Morgan act
 Husbands v Hodson act
 Cowan v Macleay act
 Martyn v Same act
 Pearson v Same act
 Whitworth and Wife v Same act
 Inman v Same act
 Townend v Same act
 Williamson v Same act
 Le Fanu v Same act
 Smith v Same act
 Rawlinson v Same act
 Goward v Same act
 Mumford v Same act
 Bond v Same act
 Anderson v Same act
 Morris v Same act
 Vardy v Same act
 Barr v Same act
 Dyer v Same act
 Charlwood v Same act
 Bullock v Same act
 Metropolitan Ry Co v Metcalfe act
 F H Smith Patents Co ld v Smith act and counterclaim
 Peel v Sherrott act and m f j
 Hudson, Scott, & Sons ld v Barringer, Wallis Manners ld act
 Macmillan v Dent act
 Lloyds v The Marconi International Marine Communication Co ld act and counterclaim
 Attorney-General v Melville & King act
 Perpetual Investment Building Soc v Baker act
 Huss v Lejarraga act
 Gilbey v Rush act
 Shrewsbury v Shrewsbury act
 Molyneux v Richard act and m f j
 London & South-Western Bank v Hemming act
 Van Oppen & Co v Leonard Van Oppen act
 Attorney-General v Taylor act
 Calipé v Dettmer act
 Whitehouse v Hugh act
 In re Turner In re J Turner
 Aldington v Tidy act
 East v Hurley act
 Marshall v Baldwin act and counterclaim
 Combination Hubs v Seabrook act
 O'Comitti v Maher act
 Turner v Foulkes act
 Featherstonhaugh v Ive act
 Mayor, &c, of York v Wood act
 Betts ld v Pickfords ld act
 Nichols v Bickerton act
 Batley v South-Eastern and Chatham Ry Co act
 In re D Marks, dec Waring & Gillow v Mills act
 Walter v Webb action and counterclaim
 In re George Pardoe McLaughlin v Penny act
 In re E M Pardoe McLaughlin v Penny act
 In re Williams' Settlement Williams v Williams act
 Carlisle v Salt act
 In re General Automatic Delivery Co's Patent No 20,835 of 1902 pet for revocation
 Scott v Rutzon act
 Clayton v Robinson act
 Mason v Wyatt act
 Mackay v Gould act (Nov 1)

Moore v Greig act
 Peat v Clayton act
 In re Turner, dec Wood v Turner act
 Roberts v Fellows act
 Alp v Keen, Robinson, & Co act
 Kaye v Haywood act
 Attorney General v Metcalf act
 Rowden v Parker act
 Long v Long act
 Hawkey & Gifford ld v Hawkey & Furst act
 Bell v Bell act
 Duffin v Duffin act
 Barrett v Barrett act
 Greswell v Witty act and counterclaim
 Edison-Bell Consolidated Phonograph Cov Stock act and counterclaim
 Wajra Karur Diamond Syndicate v Miller act
 Kelsall v Butler act
 North Eastern Marine Engineering Co v Leeds Forge Co act
 Alex Stephens & Sons v Same act
 Rankin & Blackmore v Same act
 The Trustees of T Anderson, a Bankrupt v Ashplant and Devereux act
 Hadley v Freshwater act
 Grove v Search act
 Griffin Same act
 Chenevry v Homfrey act
 Barnard v Shores act

Before Mr. Justice FARWELL.
 Further Considerations.
 Vivian v Harrop fur con
 Davey v Scarth fur con

Causes for Trial Without Witnesses. Adjourned Summonses and Special Cases.

In re James Walker, dec and The Settled Land Acts, 1882 to 1890 adjd summs
 In re Franklin, dec Pearce v Cosens adjd summs
 In re Travers' Trust Travers v Bantree adjd summs
 In re Pilkington Pilkington v Johnson adjd summs
 In re Thompson Gales v Punshan adjd summs
 In re S J Brooke, dec Brooke v Brooke adjd summs
 In re Badley's Settlement Wilkinson v Matthey adjd summs
 In re Orlando Green Cardo v The Attorney-General adjd summs
 In the Matter of an Arbitration between the Holly Bank Trust Co ld and A L Vernon and In re The Arbitration Act, 1889 special case
 In re Sainsbury's Settlement Cousins v Sainsbury adjd summs
 In re Anna Smith, dec Smith v Ferguson adjd summs
 In re S W Shaw's Estate Gibbons v Dunn adjd summs
 In re Rosser, dec Hyett v Beynon adjd summs
 In re Charles Goode, dec Masterton v Browning adjd summs
 Plaskitt v Plaskitt adjd summs
 In re Cutter, dec Firth v Firth act and counterclaim
 In re Isaac Mannington Mannington v Parsons adjd summs
 In re Taylor's Trust Morrell v Turner adjd summs
 In re David Lewis, dec In re The Trustees Act, 1893 Lewis v Lewis adjd summs

In re J W Sparrow Baxter v Sparrow adjd summs
In re Stanton's Settlement Stanton v Westlake adjd summs
Toghill v O'Connor adjd summs
In re Harding's Estate Hewitt v Eldridge adjd summs
In re Yorkshire Woolcombers' Assoc ld Houldsworth v The Assoc adjd summs
In re Turton's Settlement Turton v Kilbick adjd summs
In re De Rutzenheim's Settlement Stock v De Rutzenheim adjd summs
In re Sparkes, dec Buckley v Bell adjd summs
In re Rolt Trood Roach v Trood adjd summs
In re Glukman, dec Weingarten v Jefferys adjd summs
In re Beavis, dec Greely v Holt adjd summs
In re Keyee, dec Keyes v Offin adjd summs
In re An Arbitration between Furness and the Willesden Urban District Council special case
In re Friend's Settlement Cole v Alcott adjd summs
In re Wright Wright v Howard adjd summs
In re The Patents, Designs, and Trade Marks Acts, 1883 and 1888 and In re The Printing Machinery Co ld motn

Before Mr. Justice BUCKLEY.

Retained by Order.

King's Bench Division.

Non-jury Action.

Webb v Buckmaster

Chancery Division.

Causes for Trial (with Witnesses).
Puxley v Puxley and ors act and m f j
Alexander v Bookshops ld act

Further Consideration.

In the Matter of the Estate of Richard James, dec Vollick v Humphreys fur con

Causes for Trial Without Witnesses and Adjourned Summonses.

The Bombay, Baroda and Central India Ry v The Secretary of State for India in Council act (s o to fix a day)

In re John Morris, dec, and In re John Morris' Settlement Adams v Morris adjd summs

In re Ada Emma Mackinnon, dec Jennings v Mackinnon adjd summs

In re Richard Sellers, dec Whiteley v Sellers adjd summs

In re Taylor, dec Square v Taylor adjd summs

In re the Estate of Mary Henderson, dec Duke v Young adjd summs

In re De Morgan Bothamley v De Morgan adjd summs

In re E R Adams' Will Adams v Adams adjd summs

In re William Adams' Estate Adams v Adams adjd summs

In re Henry Pigeon, dec Pigeon v Surgey adjd summs

In re Cook's Estate Chatham v Lofly adjd summs

In re H E Southwood, dec Hanson v Southwood and ors adjd summs

In re Kerridge's Settlement dec Kerridge v Kerridge adjd summs

In re E S A Kerridge, dec Kerridge v Kerridge adjd summs

In re Gee, dec Gee v Daisley adjd summs

In re Gee, dec Ingle v Gee adjd summs

In re Mina Rumpf, dec In re Alice

Rumpf, dec Hardisty v Blyth adjd summs
In re William Wood, dec Okell v Goldie adjd summs
In re James Harvey, dec Keen v Nichols adjd summs
In re W H. Lievesley, dec Forrest v Anderson adjd summs
In re O G Whittaker, dec Whittaker v Whittaker adjd summs
In re James Harrison, dec Harrison v Leat adjd summs
In re Jenkins, dec Witts v Whittaker adjd summs

Companies (Winding-up).

Petitions.

Patent Regenerative Furnace Co ld (petn of E Jones s o from Aug 8 to Oct 31)

Callender's Paper Manufacturing Co ld (petn of J Marx & Co s o from Aug 8 to Oct 31)

S C Brown, Langham, & Co ld (petn of A M Peebles & Son ld s o from Sept 27 to Oct 31)

Kalgoorlie Amalgamated ld (petn of F Davies s o from Sept 27 to Oct 31)

Provincial Carriers ld (petn of London General Omnibus Co ld)

Salisbury (Rhodesia) Lager Beer Brewery ld (petn of M Webb & Sons)

Travellers' Club (Paris) ld (petn of G R Cran)

Nelson Share Syndicate ld (petn of R Morrison)

Sulphides Reduction (New Process) ld (petn of W H Morris and anr)

Joint Stock Trust and Finance Corpn ld (petn of A C Palmer)

Fenn & Co ld (petn of Ranger, Burton, & Frost)

J H Harry & Co ld (petn of T F Peacock, Fisher and Chavasse)

Land Mortgage and Credit Co of England ld (petn of the Coronation Extension Syndicate ld)

Brighton and Eastbourne Districts Vacuum Cleaner Co ld (petn of A W Arnold)

British Compressed Air Cleaning Co ld (petn of Lacy, Hulbert & Co ld)

Motions.

Memorials ld (to vary decision of Official Receiver s o from Oct 4 to Oct 31)

Liversedge, Ross, & Co ld (to vary order of July 28, 1905)

Stephen Goodwin & Tatton ld (to vary order of Aug 16, 1905)

Court Summonses.

Commerce ld, Manchester District Registry (for misfeasance—with Witnesses) retained by Mr Justice Warrington (s o from July 18, to be restored during Michaelmas term)

Before Mr Justice JOYCE.

Retained by Order.

Causes for Trial (with Witnesses).
In re Lake's Settlement Lake v de Michell act

Redfern v Manchester Asse Co act

Attorney-General v North Eastern Ry Co act

Further Considerations.

In re R H White, dec White v Cridland fur con and adjd summs

Hobbs v Gardiner fur con

In re Stokes Stokes v Stokes fur con

Adjourned Summonses.

In re W H Carne Aver v Carne adjd summs

In re Sir G Elliot, Bart, dec Elliot v Hunter adjd summs

In re Sir G Elliot's Estate and Settled Land Act adjd summs

In re Schofield Turner v Schofield adjd summs

In re Harrison Harrison v White adjd summs

In re Thomas Morris Morris v Banks adjd summs

McQuade v Davison adjd summs

In re Mead Mead v Robins adjd summs

In re Helmore Helmore v Helmore adjd summs

In re George Williams, dec Williams v Vine Stevens adjd summs

In re Part, dec Part v Holdsworth adjd summs (not before Oct 30)

In re Laming Laming v Dalton adjd summs

In re Uniacke's Settlement Uniacke v Uniacke adjd summs

In re Cole Jennings v Cole adjd summs

In re Noble Jones Huntley v Jones adjd summs

In re Read Barker v Read adjd summs

In re Meynell Ingram Cory v Wood adjd summs

In re Leopold and Denton's Contract and The V & P Acts adjd summs

In re Parris Bryant v Smith adjd summs

In re Sir Charles Hamond Ingledew v Henderson adjd summs

In re Craven Craven v Craven adjd summs

In re Bond, dec Bond v Chubb adjd summs

In re W Imray, dec Hunwick v Chapman adjd summs

In re Owen, dec Thomas v Williams adjd summs

In re Gibbs Webber v Loveridge adjd summs

In re Lucy's Settlement Evans v Lucy adjd summs

In re Hugu Hughes Roberts v Jones adjd summs

Holder v Wright adjd summs

In re Archibald Arrol & Sons ld Combe v The Company adjd summs

In re O B Bingley, dec Baylis v Hanson adjd summs

In re Davies and Adams' Contract and The V & P Act, 1874 adjd summs

In re Walbran, dec Milner v Walbran adjd summs

In re Griffiths' Settlement Griffiths v Chamberlen adjd summs

In re Pidcock Penny v Pidcock adjd summs

Miers v Price adjd summs

In re Rothwell's Trusts Stovold v Whitbourn adjd summs

Cumming v Walker adjd summs

In re Sir G Elliot and The Settled Land Acts adjd summs

In re William Jones Watkins v Williams adjd summs

In re Roberts Baker v Tutt adjd summs

Davison v Shortt adjd summs

In re Goldsworthy Goldsworthy v Goldsworthy adjd summs

Woolmer v King adjd summs

In re Iles Iles v Iles adjd summs

In re Le Grand Stilwell v Le Grand adjd summs

In re Ridley and Andrews and Keeble's Contract and the V & P Acts adjd summs

In re Green Walsh v Hibble adjd summs

In re Jackson Clementson v Parker adjd summs

In re Wood and In re T E Rickerby, a Solr adjd summs

In re Beckett, dec Bethell v Grimthorpe adjd summs

Before Mr. Justice SWINFEN EADY.

Retained by Order.

Adjourned Summonses.

In re Bettisfield Colliery Co, ld Brown v The Company adjd summs

Waud v Waud adjd summs

In re Bush McIntyre v Bush adjd summs

In re S Gist, dec Gist v Timbrill adjd summs

In re Chapman Staniland v Lord Dunboyne adjd summs

In re James Styles v James adjd summs

In re Walsh Wade v Walsh adjd summs

In re Parnell, dec Parnell v Parnell adjd summs

In re Chetwynd's Trusts Nevinson v Bentinck adjd summs

In re W P Tattersall, dec Topham v Armitage adjd summs

Causes for Trial (with Witnesses).

Mathews v Wilmer act

Jacobs v Harper Bros act

In re Robert Jones, dec Jones v Jones trial of issues

Stocker v Powell act

Gates v Fieldings ld act

Hurrell v Beauchamp act (s o for 14 days after filing affidavit—by order July 1, 1905)

Lea v Hole act

Maud v Young act

Mayor, &c, of Manchester v New Moss Colliery Co act and counterclaim

In re Wynn Whittaker v Jones act

Brickwell's Trustees v Edwardes and Dance act

Downs v Brown act and counterclaim

Sika Exploring Syndicate v St Stephens act and counterclaim

Christie v Brown act

In re Slater, dec Slater v Slater act

Innes v York City and County Banking Co act and m f j

Kensington Boro' Council v Willett act and counterclaim

Lancaster v Stamford, Spalding and Boston Banking Co act (not before Nov 7)

Tipton Urban District Council v S Staffordshire Tramways (Lessee) Co act

Accock v Whitfield act

Whitfield v accock act

Jenkins v Daniel act

Wimbledon House Estate Co v Butt act and counterclaim

Camacho v Whately act and counterclaim

In re Boord & Sons' Trade Mark application Nos 261,362 and 260,890 and In re the Patents, Designs, and Trade Marks Acts, 1883 to 1888 motns for trial with witnesses

Coles v Carr act

Shorthouse v Besant act

Braby v Sheieman act, counterclaim and m f j

Gale v Pool act

Lynain v Lambert act

Titus Astle ld v Mansfield act

Molloy v Mutual Reserve Life Insce Co act

Lucy, Hick & Walters v Nordaby act

Earl of Aylesford v Evans act

Nowell v Friedrich act

In re Letters Patent, No 14,006 of 1903 and the Patents, &c, Acts petn for revocation

In re Letters Patent, No 26,632 of 1903 and the Patents, &c, Acts petn for revocation

Evans v Mutual Reserve Life Insce Co act
 Williams v National Provincial Bank of England act
 Arden v Hewitt act (Manchester District Registry)
 Bradshaw v Hunter
 Morrison v Electrolytic Plating & Co act
 Brake v Rademacher act
 Lutz v Loewenstein act and counterclaim
 Robertson v Paige act
 Ch-rea v Foster act and counterclaim
 Jewsbury v Slater act
 Hartridge v Hartridge act
 In re James Cutler, dec Firth v Firth act and counterclaim
 Soccharin Corp v Saxon act
 Mallett v Mutual Reserve Life Insce act
 Marsden v Seely act
 British United Shoe Machinery Co v Northamptonshire Union Bank act and counterclaim
 Fawcett v Yorkshire Hotel Syndicate act
 M'Caw, Stevenson & Orr v Lee Bros act
 Barfoot v Baldwin act
 Ashworth v Bretherton act
 Atkinson v Schmakl act
 Oittings v Mutual Reserve Life Insce act
 Teachers v Levy act
 In re Matthews Oates v Mooney act
 Boschok Proprietary Co v Fuke act
 Brewers' and Bottlers' Supply Id v Hughes act and counterclaim
 Burnham v Mutual Reserve Life Assnce act
 H Lewis & Co v Letts act
 Smith v Manchester Brewery Co act
 Same v Same act
 Provident Clerks' and General Guarantee Assoc v Lawler act
 Shirt v Shirt act and motn for Wright v Harrowing act
 Gray v Frost act and counterclaim
 Lloyd v Franks act

Before Mr. Justice WARRINGTON.
 Retained by Order.
 Causes for Trial Without Witnesses and Adjoined Summons.
 In re H E Masson, dec Millar v Leopold and ors adjd sumns pt hd
 In re Wilkinson's Trusts Dodley v Terry adjd sumns pt hd (s o generally)
 In re Harvey, dec Anderson v Harvey In re Harvey, dec

Harvey v Anderson two adjd summonses (consolidated with witnesses (by order, dated Aug 11, 1905)
 In re Childe and Hodgson's Contract and In re Empire Boiler Co ld Carter v The Company adjd sumns with witnesses (by order, dated Aug 11, 1905)
 In re Howard Nalder's Settlement

Motions, by Order.
 Attorney-General v Ripley & Son ld pt hd (Oct 24)
 Sandons ld v Duveen (Oct 25, subject to anything, pt hd)

Petition.
 Graves v Henage

Causes for Trial With Witnesses.
 Barrs v Conder act
 Parker Jervis v Willett and anr act
 Sanders v Crowder by original act Same v Same by order of Revivor
 Poulton v The Adjustable Cover and Boiler Block Co and anr act
 Shephard and ors v Bray and ors act
 Lewis v Cory act
 Clifford v Cunningham act
 Hunter v Causton and ors act (s o Hilary, 1906)
 In re Samuel Edwards, dec Overton and ors v Roberts act
 Miles and anr v Fraser act
 In re Hamshaw, dec Hamshaw and anr v Stead and anr act
 The Dartford Brewery Co ld and Colbran v Bowyer act
 Wilson v Taylor's Drug Co ld and ors and m f j
 The Ingleton Electric Lighting and Power Co ld v Ingleton Gas Co ld act
 Attorney-General and ors v Griffith acts (consolidated)
 Stubbs and ors v Kinnell & Co ld act (by certificate)
 Nicholls and ors v Osborne, Garrett & Co act without pleadings (for Oct 30, by order)
 Shaw and ors v Weeks and ors act
 Gouldsmith v Wilson act
 Offin v The Rural District Council of Rochford act
 C F Cooper v C Davis & Son act
 In re G G Symons, dec Symons v Punt act
 Douglas Jones v Malcolmson act
 Bernays and ors v Chandler act
 Joseph Lucas ld v Fabry Automobile Co ld act
 Marshall v Robertson and ors act and m f j

To Freehold Ground-rents amounting to £80 1s. per annum, and £302 19s. 8d. India Three per Cent. Stock, gentleman aged 68. Solicitors, Messrs. Robbins, Billing, & Co., and Messrs. Gush, Phillips, Walters, & Williams, London.
 To One-fifth of a Trust Fund, value £12,500; gentleman aged 67. Solicitor, Arthur Pye, Esq., London.
 To Nos. 12, 13, and 14, Richmond-hill, Brighton, producing £52 per annum. Solicitor, W. Ashford, Esq., London.
 To One-fourteenth of a Trust fund, value £22,600; lady aged 61. Solicitor, James Robinson, Esq., London.
 AN ANNUITY or LAND TAX of £10 7s., secured upon land and buildings in Pottishall, Northamptonshire. Solicitors, Messrs. Taylor, Suemau, & Underwood, London.
 POLICIES for £18 29s. 4d., £556. £2 27s. 8d., £1,000. £500. Solicitors, G. S. Sowter, Esq., Briggs, & Co., London.
 SHARES in Edward Peckard & Co. (Limited): The Transport Trading and Agency Co. (Limited), of West Australia; "Graphic" and "Daily Graphic" (H. R. Barnes & Co. Limited); The Pailon Co. (Limited); The Piccadilly Art Galleries Co. (Limited); Princes Hall Restaurant (Limited); United Painters Co. of Ceylon (Limited). Solicitors, Messrs. Soames, Edwards, & Jones, London.
 (See advertisements, this week, back page.)

Nov. 2.—Messrs. STIMSON & SONS, at the Mart, at 2:—Regent-street, W.: Valuable Freehold House and Shop, No. 53, Beak-street, Regent-street; let at £88 per annum.—Gunnerybury: Double-fronted Detached Residence; rental value £78 per annum. Solicitors, Messrs. Mills, Lockyer, & Mills, London.—Vauxhall: Eight Houses and Shops; let at rents amounting to £450 per annum.—Clapham Junction: Eleven Houses; let weekly, producing £267 1s. 6d. per annum. Solicitors, Messrs. Trollope & Winckworth, London.—Hackney-road: Two Houses and shops. Solicitor, J. Goldman, Esq., London.—Newington Causeway: Freehold House and Shop. Solicitor, J. T. Chappe, Esq., London.—Walworth-road: Corner House and Shop; let at the Mazzawatee Tea Co. at £175 per annum. Solicitor, E. Chester, Esq., London.—Stepney: Freehold Ground-rent of £15 per annum. Solicitors, Messrs. Biddle, Thorn & Co., London.—Old Kent-road: Freehold House; producing £26 per annum. Solicitor, T. F. Ashhead, Esq., London. (See advertisements, this week, p. iii.)

Result of Sale.

MESSRS. DEBENHAM, TEWSON, & Co. sold at the Mart, on Tuesday last: Lombard-street, in one of the finest positions in the City of London, adjoining the newly-erected noble premises of the Liverpool and London and Globe Insurance Company at the corner of Lombard-street and Cornhill, opposite the Mansion House, a well-secured Freehold Ground-rent of £500 per annum, arising from highly-important modern banking and office premises, having a frontage of nearly 37 feet and a superficial area of 1,060 feet or thereabouts, with reversion in 29½ years to the rack-rental, now estimated at £7,000 per annum, for £35,600. Alfriston Training Grounds, with a capital Residence, stabling for 31 horses and the necessary appendances, situate in the county of Sussex, 2½ miles from Berwick Station, five from Polegate Junction, six from Eastbourne, and nine from Lewes, for £8,000. Kent (four miles from Margate and Fawkham Stations S.E. and C. Railway, five miles from Sevenoaks, 1½ from Maidstone, and from 21 to 25 miles from London), the valuable Freehold, Manorial, Residential, Agricultural, and Building Estates in the parishes of Ightham, Wrotham, and Stansted, 19 lots, sold for £24,383. Kent, in the parishes of Ightham, Wrotham, and Stansted, within easy reach of Wrotham Station or Margate and Fawkham Stations (S.E. and C. Railway), two lots, sold for £900.

Winding-up Notices.

London Gazette.—FRIDAY, Oct. 20.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

AUTOMOBILE WHEEL CO., LIMITED.—Peta for winding up, presented Oct 18, directed to be heard Oct 31. Goddard & Co., St Michael's House, St Michael's alley, Cornhill, solors for petner. Notice of appearing must reach the above-named not later not later than 6 o'clock in the afternoon of Oct 30.
 BRITISH COMPRESSED AIR CLEANING CO., LIMITED.—Peta for winding up, presented Oct 12, directed to be heard Oct 31. Rivers & Milne, Gracechurch st, solors for petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 30.
 ENTERPRISE BAZAAR CO., LIMITED (IN LIQUIDATION).—Creditors are required, on or before Nov 18, to send their names and addresses, and the particulars of their debts or claims, to George Henry Carter, 1, Queen st, Cheapide.
 FARMERS TRUST CO., LIMITED.—Creditors are required, on or before Nov 24, to send their names and addresses, and particulars of their debts or claims, to E H Turner, 42, Spring gds, Manchester. Sale & Co., solors to liquidator.
 FORTUNE & MARSH, LIMITED (IN VOLUNTARY LIQUIDATION FOR RECONSTRUCTION ONLY).—Creditors (of the old company) are required, on or before Nov 23, to send their names and addresses, and the particulars of their debts or claims, to Harold Edward Moore, 41, Bedford row. Kingsford & Co., Essex st, Strand, solors for the liquidator.
 GORFORTH ASSEMBLY ROOMS CO., LIMITED.—Creditors are required, on or before Dec 11, to send their names and addresses, and the particulars of their debts or claims, to Cecil A Cochrane and Benjamin Dady, 1, Mowley st, Newcastle upon Tyne. Wilkinson & Marshall, Newcastle upon Tyne, solors to liquidators.
 GURBAKE SHEEP FARMING CO., LIMITED.—Creditors are required, on or before Dec 2, to send their names and addresses to John Redman and Henry Wyatt, 20, Basinghall st.
 HANMAN'S STAR GOLD MINES, LIMITED.—Creditors are required, on or before Nov 2, to send their names and addresses, and the particulars of their debts or claims, to William Ernest Treweek, Vinbury house, Blomfield st.
 PROVINCIAL CARRIERS, LIMITED.—Peta for winding up, presented Aug 2, directed to be heard Oct 31. Hicks & Co., Old Jewry church, solors for petner. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 30.
 SULPHIDE REDUCTION (NEW PROCESS), LIMITED.—Peta for winding up, presented Sept 4, directed to be heard Oct 31. Bevan, Budge row, for Davies & Harvey, Swanage, solors for petners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Oct 28.

London Gazette.—TUESDAY, Oct. 24.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BURNES AYRES SOUTH-WESTERN RAILWAY CO., LIMITED (IN LIQUIDATION).—Creditors are required, on or before Jan 1, to send their names and addresses, and particulars of their debts or claims, to Edward Davis, 5, London Wall bldg, Finsbury circuit. B. Schoff & Co., 6, Winchester st, solors to liquidator.
 FANE AND FORTUNE MINE, LIMITED (IN LIQUIDATION).—Creditors are required, on or before Dec 9, to send their names and addresses, together with full particulars of their debts or claims, to A Turner, 10/11, Walbrook.
 GOLD MINING ASSOCIATION, LIMITED.—Creditors are required, on or before Dec 4, to send their names and addresses, and the particulars of their debts or claims, to Edward Charles Nicholls, 18, Walbrook. Batchelor & Co., Fancras ln, solors for liquidator.
 HALFORD PLANT CO., LIMITED.—Creditors are required, on or before Dec 6, to send their names and addresses, and the particulars of their debts or claims, to Theodor David Neal, 110, Edmund st, Birmingham. Shore & King, Birmingham, solors for liquidator.
 NATIONAL ELECTRIC TRACTION CO., LIMITED (IN LIQUIDATION).—Creditors are required, on or before Dec 7, to send their names and addresses, and the particulars of their debts or claims, to Leslie Moore, 79, Queen st, Cheapide.

The Property Mart.

Sales of the Ensuing Week.

Nov. 1.—Messrs. H. E. FORTER & CRANFIELD, at the Mart, at 2:—Hatton-garden: Valuable Freehold Property, Nos. 37 and 38, Hatton-garden, frontage 45ft. 3in., and a superficial area of 4,900ft.; leased to Messrs. Catillon & Sons at £220 per annum. Solicitor, F. J. Dickson, Esq., London.—Chelsea: Valuable Freehold Ground-rents, amounting to £64 per annum, with reversion to the full rack-rentals in 1833 and 1942. Solicitors, Messrs. Pike, Price, & Corfield, London.
 Nov. 2.—Messrs. H. E. FORTER & CRANFIELD, at the Mart, at 2, in Lots:—
 REVERSIONS:
 To One-twenty-fourth of a Trust Fund, value £16,750, lady aged 66; also to One-eighth of a Trust Fund, value £22,400, on decease of same lady; also to One-eighth of a Trust Fund, value £14,400, on decease of same lady. Solicitors, Messrs. Benumant & Goodell, Nottingham.
 To Five-eighths of a Trust Fund, value £12,850, lady aged 61 and gentleman aged 68; also REVERSIONARY LIFE INTEREST of the above gentleman, on decease of the above-mentioned lady, in Eleven-sixteenths of the same fund. Solicitor, William S. Jerome, Esq., London.
 To One-thirtieth of a Trust Fund, value £10,800; lady aged 62. Solicitors, Messrs. Johnson, Weatherall, & Scott, London.
 To Three-sixteenths of a Trust Fund, value £3,980; three ladies aged 61, 55, and 51. Solicitors, Messrs. Dennis & Faulkner, Northampton.
 To One-third of Trust Funds, value £2,490, lady aged 65; also to One-third of 3,500 £ per Cent. Preference Shares of £5 each in Lush & Co. (Limited), same lady; also to One-third of a Trust Estate, value £15,000, same lady. Solicitors, Messrs. Crosse & Sons, London.

Creditors' Notices.

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, OCT. 20.

ALLEGHT, WILLIAM, Northampton, Engineer Nov 17 Darnell & Price, Northampton
 AMOS, Rev CHARLES MATTHEWS, Sittingbourne, Kent Dec 1 Oliver, Corbett & Co, Gracechurch
 BAILEY, FRANCES MAGDALENE, Folkestone Dec 9 Atkinson & Stainer, Folkestone
 BAKER, JAMES BOWING, Bury, Cambridge, Grocer Nov 20 Goodchild, Norwich
 BAKER, ALFRED HERBERT, Dunford, nr Godalming Nov 30 Hales, Chiford's Inn
 BARWICK, MICHAEL HILLS, Folkestone Dec 9 Atkinson & Stainer, Folkestone
 BERRYMAN, ALEXANDER, Penzance, Auctioneer Nov 30 John Milton, Penzance
 BISSET, ELIZABETH, Liverpool Dec 1 Lees, Birkenhead
 BRISLEE, MARY ANN, Boughton Monchelsea, Kent Nov 30 Ellis, Maidstone
 BRISLEE, THOMAS, Boughton Monchelsea, Kent, Wheelwright Nov 30 Ellis, Maidstone
 NICHOLSON, HARRY, Carter, Guildford, Vet Surgeon Nov 1 Capewell & Sparks, Guildford
 CHRISTY, ESTER LOUISE, Ashwell, Herts Nov 24 Wortham & Co, Royston, Herts
 COLDICUTT, FRANK CHARLES, Edgbaston, Birmingham, Posting Master Nov 30 Rees & Harris, Birmingham
 COLE, RICHARD, Munsterworth, Glos, Farmer Nov 25 Treasure, Gloucester
 CORDIN, ABIGAIL, Skegby, Notts Nov 24 Alcock, Mansfield
 COTTUM, ALBERT EDWIN, Slough, Bucks, Merchant Nov 18 Mills & Co, Huddersfield
 DAVIES, JOHN, Stratford, Nov 20 Browne & Co, Rumford rd, Forest Gate
 DICKER, FRANCES ANNE, Bath Dec 1 Kinnmont & Maxwell, Edinburgh
 EDWARDS, HERBERT, Madocote Nov 25 Bannister & Reynolds, Basinghall st
 GODDARD, EDWICK, Cockington, Torquay Dec 1 Hutchins & Hutchins, Teignmouth
 HACK, WILLIAM, Worthing Dec 2 Fawcett & Jackson, Fenchurch st
 HAMMOND, WILLIAM, Accountant Nov 18 Wright & Co, Leamington
 HEAD, ARCHIBALD POTTER, Victoria st, Civil Engineer Nov 30 Grenside, Dean's yd, Westminster Abbey
 HOLLAND, GEORGE, Matlock in, Ealing, Builder Nov 30 Bond, Broadway, Ealing
 HOWELL, WHITELLY, Halifax, Bank & Manufacturer Dec 1 Jubb & Co, Hai fax
 HOWE, JOHN, Sutton Coldfield, Warwick, Merchant Nov 20 Goodrick & Smith, Birmingham
 JESOP, WILLIAM, Bradfield Dale, Ecclefield, Yorks Dec 1 Wake & Sons, Sheffield
 JONES, ISAAC, Mountain Ash, Glam Dec 5 C & W Kenshole, Aberdare
 LEDSON, EDWARD, Rock Ferry, Chester, Blacksmith Nov 1 Lees, Birkenhead
 LEAH, HANNAH, Hyde, Cheshire Nov 10 Hervey & Co, Hyde
 MCKIE, JAMES, Brooks' Bar, Manchester, Draper Nov 22 Kerr & Howarth, Manchester
 MADAN, Rev JAMES RUSSELL, Mill Hill, Clerk Nov 30 Vizard & Co, Dursley
 MARSHED, WILLIAM, Walslow, Glam Dec 5 C & W Kenshole, Aberdare
 MILLER, THOMAS BLAIR, Cannon st Dec 1 Guillaume & Sons, Salisbury sq
 MONCRIEFF, JOHN, Denny, Cumberland, Yeoman Dec 11 Hayton & Co, Cuckermouth
 MORRISON, ARCHIBALD, Nottingham Oct 23 Gibson, Nottingham
 NEWTON, WILLIAM, Carshalton, Market Gardener Nov 20 Edridge & Newnham, Croydon
 NICHOLSON, LOUISE MARY, Plymouth Nov 24 T & H Wolferstan, Plymouth
 PACKWOOD, FRANCES LOVELL, Wollaston, Northampton Dec 1 Haygate & James, Wellingborough
 PHILBY, MARY, Tottenham Nov 7 Barrow, Dulverton, Somerset
 ROBINSON, JANE MARGARET, Knutsford, Chester Nov 20 North & Co, Liverpool
 SHARPE, Rev THOMAS WHEATREHER, CB, Alexandra ct, Queen's Gate Dec 4 Shepherd, Princess st, Storey's Gate
 VINCENT, LOUISE ELIZABETH, Mildmay pk Nov 17 Shepherds & Walters, Finsbury Circus
 WERE, ANNA MARIA, Hove, Sussex Dec 1 Guillaume & Sons, Salisbury sq

Bankruptcy Notices.

London Gazette.—FRIDAY, OCT. 20.

RECEIVING ORDERS.

ALLEN, ROBERT, Burmattofts, Leeds, Plumber Leeds
 Pet Oct 17 Ord Oct 17
 ALFORD, THOMAS, Kingston upon Hull Kingston upon Hull
 Pet Oct 18 Ord Oct 18
 BIRT, H H, Landor rd, Stockwell, Fishmonger High Court
 Pet Sept 18 Ord Oct 17
 CAVLEY, ANN, Blackpool, Lodging House Keeper Preston
 Pet Oct 17 Ord Oct 17
 CHAWWELL, LLEWELLYN, Llwynn, Machynlleth, Montgomery
 Abergwyth Pet Oct 5 Ord Oct 18
 CLARKSON, MOUNTFORD CHARLES, Bridlington, Yorks,
 Plumber Scarborough Pet Oct 16 Ord Oct 16
 CLIFTON, ROBERT AMBROSE, Middleton, Norfolk, Bank
 Clerk King's Lynn Pet Oct 18 Ord Oct 18
 CONNELL, SHAFIRO, & MYERS, Carter In, Mantle Makers
 High Court Pet Aug 28 Ord Oct 17
 COUZENS, JAMES, Great Greeningham, Norfolk, Baker King's
 Lynn Pet Oct 16 Ord Oct 16
 CROSBY, ALBERT SIDNEY, Evesham, Worcester, Company's
 Manager Worcester Pet Oct 16 Ord Oct 16
 CROWE, CHARLES CHRISTOPHER, Seven Sisters' rd, Timber
 Merchant Edmonton Pet Oct 19 Ord Oct 16
 CULLINORE, LUDIA, Coleford, Glos, Wine Merchant New-
 port, Mon Pet Oct 18 Ord Oct 18
 DAVSON, JAMES NEWBY, Gt Yarmouth, Builder Gt
 Yarmouth Pet Oct 16 Ord Oct 16
 FLECKNOE, EMILY ANN, Weston super Mare, Lodging house
 Keeper Bridgewater Pet Oct 4 Ord Oct 18
 GRANVELL, JOHN, Wakefield, Confectioner Wakefield
 Pet Oct 16 Ord Oct 16
 GREGORY, GEORGE WILLIAM, Sutton in Ashfield, Notts,
 Builder Nottingham Pet Oct 14 Ord Oct 14
 HARRISON, WILLIAM MARSDEN, Falmouth, Photographer
 Truro Pet Oct 16 Ord Oct 16
 HILL, ELIZA, Leicester Leicester Pet Oct 4 Ord Oct 17
 FLINT, WILLIAM, York, Slater York Pet Oct 16 Ord
 Oct 16
 IMAH, CHARLES BOTTOMLEY, Knaresborough York Pet
 Oct 3 Ord Oct 16
 JOLLY, EMILY, Cardiff, Licensed Victualler Cardiff Pet
 Oct 17 Ord Oct 17
 KEARNS, FRANK JAMES, Brynmawr, Brecon, Saddler
 Tredgar Pet Oct 17 Ord Oct 17
 LANE, WALTER, Derby, Dairyman Derby Pet Oct 18
 Ord Oct 18
 LEY, H J & M, Hesseway in, Bevis Marks, Clothiers High
 Court Pet Sept 29 Ord Oct 18
 LLOYD, W H, Connah's Quay, Flint Chester Pet Oct 2
 Ord Oct 16

WHALE, WILLIAM, Brighton Dec 1 Lavtons, Budge row, Cannon st
 WILLIAMS, WILLIAM JAMES, Hulme, Manchester, Musician Dec 25 Chapman & Co,
 Manchester
 WIMBARD, JAMES, Mytholmroyd, Yorks Dec 4 Garsed, Northgate, Elland
 London Gazette.—TUESDAY, OCT. 24.
 BEVAN, SAMUEL, Llanelly, Ironmonger Nov 30 Brodie & Walton, Llanelly
 BLEASBY, ANN, Crowle, Lincs Nov 21 Nortonshaw & Cundall, Crowle, nr Doncaster
 BREWER, ELIZA HOBBS, Plymouth Nov 18 Debell, Plymouth
 BRIGGS, ARTHUR BOLTON, Didsbury Nov 24 Hill, Manchester
 BROWN, FRANK, Moxley, nr Wednesbury Nov 30 Walker & Meek, Birmingham
 BÜZE, DITTEL HINRICH, Gt Grimsby Dec 1 W & H Brown, Gt Grimsby
 CAIRNS, FLOTT D'ADVERGNE, Hove, Sussex Nov 14 Gates & Burnand, Brighton
 CARTWRIGHT, WILLIAM, Melbourne, Derby Nov 1 Snape, Derby
 CHADWICK, MARY ANN, Rochdale Nov 28 Standing & Co, Rochdale
 CONDER, FREDERICK JOHN, Hove, Sussex Dec 4 Marchant & Co, Deptford
 CRACROFT, Rev ROBERT WENTWORTH, Harrington Rectory, Lincs Nov 15 Tweed,
 Horncastle
 CRECH, JOHN, Hanham, Glos, Horse Dealer Nov 4 Stanley & Co, Bristol
 CORBETT, Rev LUXEL, Hampton Bishop Rectory, Hereford Nov 30 Salt & Sons,
 Shrewsbury
 CUTLER, JOHN EDWARD, Morpeth, Northumberland, Timber Merchant Nov 8 Brett,
 Morpeth
 EARLE, EMILY, Wetherby gds, South Kensington Nov 30 Batesons & Co, Liverpool
 FORD, JAMES JOHN, Albemarle st, Piccadilly Nov 30 Rydall & Son, Stone bridge,
 Lincoln's Inn
 GARFORTH, HENRY, Halifax, Master's Manager Nov 21 Bystow & Midgley, Halifax
 GREGORY, JOHN, Oving, Bucks, Farmer Dec 5 Carter & Sons, Carey st, Lincoln's Inn
 GRYLLS, MARY ANN, Queen's rd, Dalston Nov 20 Marsden, Cammabury rd
 HARDING, WILLIAM, RICHARD HARDING and MARY ANN HARDING Dover Dec 1 Kings-
 ford & Co, Canterbury
 HASLAM, WILLIAM, Bromley Cross, nr Bolton Nov 15 Russell & Russell, Bolton
 HEATCOTE, WALTER LIGHTFOOT, Attlecliffe Common, Sutherland, Licensed Victualler
 Nov 30 Rogers & Co, Sheffield
 INNES, LEWIS CHARLES, Sevenoaks Dec 5 Sewell & Co, Old Broad st
 JACKSON, CHARLOTTE MARGARET, Box, Wilts Nov 30 Dunning & Co, Honiton, Devon
 JENKINS, Rev WILLIAM HENRY HAMMOND, Osnaburgh st Nov 29 Attenborough, Wakefield
 JUMP, JAMES, Bury St Edmunds Nov 30 Batesons & Co, Liverpool
 KENTLEY, THOMAS, West Harlepool, Hotel Keeper Nov 23 Bell, West Harlepool
 KNOWLEDGE, ANN, Hurley st, Greenwich Nov 30 Sewell, Greenwich
 LAVERY, HENRY GORDON, Doreidge, Derby Nov 22 Maples & Co, Frederick's pl, Old
 Jewry
 LEWIS, ROLAND, Savile row, Income Tax Assessor Nov 30 Porter & Co, Conway
 LONG, HIRAN ALEXANDER, Greenwich, Advertising Contractor Nov 20 Sewell, Green-
 wich
 LUTHER, JANE, Birmingham Nov 25 Unett & Co, Birmingham
 MARGARET, MARY, Walsby, Walsby Dec 20 Cammabury & Co, Warwick
 NORTON, MICHAEL, Bishop's Castle, Salop, Ironmonger Dec 1 Morgan, Shrewsbury
 PHILLIPS, WILLIAM CHARLES, Ectree, Herts Nov 30 Lowe & Co, Temple gds, Temple
 PYOT, ROBERT, Saffron Walden Nov 30 Foy & Coy, Essex st, Strand
 ROBINSON, GEORGE, Easingwold, York Nov 18 Hayden, Easingwold
 ROHAN, JULIA, Preston, Lancs Dec 20 Goodier, Preston
 ROW, MARY, Plympton St Mary, Devon Dec 6 Gard, Devonport
 RYECROFT, JOHN, Birkdale Lane Dec 2 Sale & Co, Manchester
 SAUNDERS, RICHARD, Tiltington, Sussex, Carpenter Nov 25 Palford, Petworth, Sussex
 SEARSON, MARTHA SOPHIA, Peterborough Nov 7 Harkley, Peterborough
 SPARKES, Rev WILKIN JOSEPH, Starcross, Devon Dec 1 Sparkes & Co, Crediton, Devon
 THOMSON, WILLIAM FRANCIS, Bourne End, Bucks, Surgeon Dec 1 Dayman & Fisher,
 Tiverton, Devon
 WILLIS, LEONARD COOKE, New Moston, Manchester Nov 18 Berry, Manchester
 WOOD, BARBARA MATTHEW, Hampstead Nov 30 Ellis & Co, Basinghall st
 WOOD, ROBERT BALLARD, Hampstead Nov 30 Ellis & Co, Basinghall st

Amended notice substituted for that published in the London Gazette of Oct 3:

HERN, ALBERT, Queen Victoria st High Court Pet July 20 Ord Aug 4

FIRST MEETINGS.

ALLEN, ROBERT, Burmattofts, Leeds, Plumber Oct 30 at 11 30 Off Rec, 22, Park row, Leeds
 BARKER, JAMES, Mirfield, Yorks, Wool Merchant Nov 1 at 11 Off Rec, 22, Park row, Leeds
 BATHSON, WILLIAM, Bradford, Fruiterer Oct 30 at 3 Off Rec, 29, Tyrral st, Bradford
 BIRT, H H, Landor rd, Stockwell, Fishmonger Oct 31 at 12 Bankruptcy bldg, Carey st
 BRIGGS, WESLEY, Le ds, Plumber Nov 1 at 12 Off Rec, 22, Park row, Leeds
 CAUFIELD, HERBERT LEIGH, Kingston upon Hull, Tailor's Assistant Oct 25 at 11 30 Off Rec, Trinity House in, Hull
 CHARLESWORTH, GEORGE, Gildersome, Yorks, Tailor Oct 30 at 3 30 Off Rec, 29, Tyrral st, Bradford
 COBURN, CHARLES, Cambridge, Bricklayer Oct 30 at 12 Off Rec, 5, Petty Cur, Cambridge
 CONNELL, SHAFIRO, & MYERS, Carter In, Mantle Makers Oct 31 at 11 Bankruptcy bldg, Carey st
 CRAIG, JESSIE ARNOTT, Southend on Sea, Builders' Materials Merchant Oct 31 at 3 14 Bedford row
 CAERS, GEORGE HIRSCOMBE Oct 31 at 10 30 45, Copenhagen st, Worcester
 CROMPTON, CUTBERT, Exeter, Solitor Nov 2 at 10 30 Off Rec, 9, Bedford Circus, Exeter
 CROSBY, ALBERT SIDNEY, Evesham, Worcester, Company's Manager Nov 1 at 10 30 45, Copenhagen st, Worcester
 CROWE, CHARLES CHRISTOPHER, Seven Sisters' rd, Timber Merchant Oct 30 at 3 Off Rec, 14, Bedford row
 DIAMOND, ARTHUR WILLIAM, Walsingham Oct 31 at 12 30 24, Railway app, London Bridge
 EVANS, DAVID, Pontygnath Glam, Labourer Oct 31 at 12 135, High st, Merthyr Tydfil
 FLINT, WILLIAM, Walsgate, York, Baker Oct 30 at 3 Off Rec, The Red House, Duncombe pl, York
 GREEN, HENRY JOHN, Charlton, Kent, Baker Oct 31 at 11 30 24, Railway app, London Bridge
 HALLITT, J, Belmont, Sutton, Builder Nov 1 at 11 30 21, Railway app, London Bridge
 HYDE, JOHN S, Sandehead, Salisbury Oct 31 at 2 15 Off Rec, City chambers, Catherine st, Salisbury
 INMAN, CHARLES BOTTOMLEY, Knaresborough Nov 2 at 2 30 Off Rec, The Red House, Duncombe pl, York
 JONES, JAMES ROBERT WILLIAM, Darlington, Fishmonger Nov 8 at 3 Off Rec, 8, Albert rd, Middlebrough
 NORTH, FRED, Pudsey, Yorks, Warehouseman Oct 30 at 2 30 Off Rec, 29, Tyrral st, Bradford

MARTIN, FREDERICK, Camelford, Cornwall, Baker Truro
 Pet Oct 18 Ord Oct 18
 MILLER, ARTHUR, Teale st, Hackney, Bwt Manufac-
 turer High Court Pet Oct 3 Ord Oct 14
 MILLIS, DANIEL, and JOHN ROBERT BROWN, Throaby on
 Tees, Yorks, Confectioners Stockton on Tees Pet Oct
 7 Ord Oct 17
 MITCHELLSON, CHARLES, Bishop Auckland, Durham, Plumber
 Durham Pet Oct 17 Ord Oct 17
 MORRIS, JOHN, Brynawel, Ystradgynlais, Brecon, Mining
 Contractor Neath and Abertawe Pet Oct 16 Ord
 Oct 16
 MOUNTNEY, CHARLES Ashford in the Water, nr Bakers-
 well, Derby, Innkeeper D-rby Pet Oct 18 Ord Oct 18
 PARKER, WILLIAM, Gt Dover st, Bass Desser High Court
 Pet Sept 26 Ord Oct 18
 PEROT, PAUL, Chapelle, Code Specialist High Court
 Pet Sept 27 Ord Oct 18
 POLKINGHORSE, JAMES DAVID, Rhyl, Flint, Journalist
 Bangor Pet Oct 17 Ord Oct 17
 POLLOCK, MATILDA HESTER, Blandavon, Mon, Draper
 Tredegar Pet Oct 16 Ord Oct 16
 POWELL, CHRISTIANA, Sevenoaks Tunbridge Wells Pet
 Oct 14 Ord Oct 14
 PURCHARD, ARTHUR GEORGE, Haigham, Norwich, Licensed
 Victualler Norwich Pet Oct 16 Ord Oct 16
 READ, ELIZA, Woodford Wells, Essex, Coach Builder
 High Court Pet Sept 6 Ord Oct 18
 ROBERTS, JOHN THOMAS, Penryn, Ruanon, Penb'gh,
 Mogel Maker Wrexham Pet Oct 18 Ord Oct 18
 SCHMIDT, QUENTIN, Withington, Manchester, Commission
 Agent Manchester Pet Oct 17 Ord Oct 17
 SIMMONDS, ALFRED FORD, Islworth, Middlesex, Dairy-
 man Brentford Pet Oct 16 Ord Oct 16
 STEPHENS, WILLIAM CHARLES, Southend on Sea, Essex,
 Builder Chelmsford Pet Oct 17 Ord Oct 17
 TAYLOR, WILLIAM, Murbham, Kent, Farmer Canterbury
 Pet Oct 17 Ord Oct 17
 THOMAS, GEORGE THOMAS, Marlow, Kent, Farm Manager
 Maidstone Pet Oct 17 Ord Oct 17
 TERNHARNE, DAVID, Carway, nr Kidwelly, Carmarthen,
 Farmer Carmarthen Pet Oct 17 Ord Oct 17
 WAITE, BERTIE THOMAS, Amesbury, nr Salisbury, Wilts,
 Cycle Agent Salisbury Pet Oct 17 Ord Oct 17
 WATT, ROBERT GLENDINING, Hastings, Baker Lanes and
 Eastbourne Pet Oct 16 Ord Oct 16
 WHEELER, FRANK EDWARD, Pethall, Carnorton, Wine
 Merchant Portsmouth Pet Oct 19 Ord Oct 18
 WIGLESWORTH, JOSEPH EDWARD, Burnley, Lancs, Grocer
 Burnley Pet Oct 17 Ord Oct 17
 WILBY, GEORGE, Oseott, Yorks, Rag Merchant Dewabury
 Pet Oct 18 Ord Oct 18

PARKER, WILLIAM, Gt Dover st, Bass Dresser Oct 30 at 11
Bankruptcy bldg, Carey st
PEAD, GEORGE, Battledens, Suffolk, Baker Oct 31 at
12.15 Off Rec, 36, Princes st, Ipswich
PEROTT, PAUL, Cheapside, Code Specialist Nov 1 at 11
Bankruptcy bldg, Carey st
POWELL, CHRISTIANA, Severnside Oct 30 at 11.30 Mr C J
Farris, 65, High st, Tunbridge Wells
PRETOR, GODFRED CHARLES MAXWELL, Neasden, Middlesex,
Horse Dealer Oct 30 at 12 Off Rec, 14, Bedford row
PUNCHARD, ARTHUR GEORGE, Heigham, Norwich, Licensed
Vintner Oct 30 at 12.30 Off Rec, 8, King st,
Norwich
PUSBER, FRED, Leicester Oct 30 at 12 Off Rec, 1, Berridge
st, Leicester
RAYNES, HEDLEY TICHBORENE, East Hanningfield, Essex,
Farmer Nov 1 at 3 Shirehall, Chelmsford
READ, ELIZA, Woodford Wells, Essex, Coach Builder Oct
30 at 12 Bankruptcy bldg, Carey st
SLADE, HENRY, Barry, Glam, Greenroofer Oct 31 at 10
117, St Mary st, Cardiff
SMITH, JOHN WILLIAM, Gt Grimsby, Cook Oct 28 at 11
Off Rec, St Mary's church, Gt Grimsby
TOMKIN, GEORGE THOMAS, Marden, Kent, Farm Manager
Oct 31 at 10.30 9, King st, Maidstone
TURNER, WILLIAM, Newport, Mon, Butcher Nov 1 at 11
Off Rec, Westgate chmbrs, Newport, Mon
WALKER, JAMES, Glidderstone, Yorks, Colliers Proprietor
Nov 1 at 3 Off Rec, 29, Tyrryl st, Bradford
WEATHERILL, JOSEPH STEPHEN, Hockley Hill, Birmingham,
Confectioner Oct 30 at 12 Off Rec, 8 High st, Coventry
WELLS, JONAS, Ilicham, Cambridge, Farmer Oct 30 at 2.45
The Lamb Hotel, Ely
WHITTINGHAM, ELIZABETH HARRIETT, Hastings, Restaurant
Keeper Nov 7 at 11.30 County Court, 24, Cambridge
rd, Hastings
WILLIAMS, CHARLES, Ely, Cambridge, Yeast Agent Oct
30 at 2.15 The Lamb Hotel, Ely
WILLIAMS, WILLIAM, Merthyr Tydfil, Steel Worker Oct 31
at 3 135, High st, Merthyr Tydfil
WINDAR, JOHN HENRY, Kingston upon Hull Oct 28 at 11
Off Rec, Trinity House Ln, Hull

ADJUDICATIONS.

ALLEN, ROBERT, Burmanotof, Leeds, Plumber Leeds Pet
Oct 17 Oct 17
ALTOFT, THOMAS, Kingston upon Hull Kingston upon Hull
Pet Oct 18 Oct 18
BARKES, JAMES, Ormskirk, Cabinet Maker Liverpool Pet
Oct 14 Oct 16
CAINE, MICHAEL, Croydon Croydon Pet Aug 30 Oct
Oct 19
CRAWLEY, ANN, Blackpool, Lodging house Keeper Preston
Pet Oct 17 Oct 17
CLARKSON, MOUNTFOOT CHARLES, Bridlington, Yorks,
Plumber Scarborough Pet Oct 16 Oct 16
CLIFFORD, ROBERT ANDREW, Middleton, Norfolk, Bank
Clerk King's Lynn Pet Oct 18 Oct 18
COOPER, JAMES, Beeston, Sandy, Beds, Market Gardener
B.dford Pet Sept 28 Oct 16
COUZENS, JAMES, Gt Cressingham, Norfolk, Baker King's
Lynn Pet Oct 16 Oct 16
CULLMORE, LYDIA, Coleford, Glos, Wine Merchant Newport
Mon Pet Oct 18 Oct 18
DANWYN, JAMES NEWBY, Gt Yarmouth, Norfolk, Builder
Gt Yarmouth Pet Oct 16 Oct 18
FAIRLEY, THOMAS, Birmingham, Commercial Traveller
Birmingham Pet Oct 18 Oct 17
FLINT, WILLIAM, Walsgate, York, Baker York Pet Oct
16 Oct 16
FOX, SIDNEY GEORGE, Amyndar, Twickenham Brentford
Pet Aug 21 Oct 14
GRANVILLE, JOHN, Wakefield, Confectioner Wakefield Pet
Oct 16 Oct 16
GREGORY, GEORGE WILLIAM, Sutton in Ashfield, Notts,
Builder Nottingham Pet Oct 14 Oct 14
HALLETT, J. Belmont, Sutton, Builder Croydon Pet Aug
30 Oct 16
HAMBLET, RICHARD, Watlington, Tobaccoist Watlington
Pet Oct 12 Oct 12
HYDE, JOHN, Sandhasth, Salisbury Salisbury Pet May
22 Oct 18
IMRAY, CHARLES BOTTOMLEY, Knaresborough York Pet
Oct 3 Oct 18
JOLLY, EMILY, Cardiff, Licensed Victualler Cardiff Pet Oct
17 Oct 17
KEARNS, FRANK JAMES, Brynmawr, Brecon, Saddler
Tredgar Pet Oct 17 Oct 17
LANGSTON, JUSTUS FREDERICK, Westcliffe on Sea, Essex,
Timber Merchant Chelmsford Pet Aug 4 Oct 17
LEWELL, FRANK WILLIAM, Eastbourne, Jeweller Lewes
Pet Sept 22 Oct 16
LEWIS, JONAS, Nevill rd, Stoke Newington, Grocer High
Court Pet Aug 22 Oct 16
MARTIN, FREDERICK, Camelford, Cornwall, Baker Truro
Pet Oct 18 Oct 18
MILLS, DANIEL, and JOHN ROBERT BROWN, Stockton on
Tees, Confectioners Stockton on Tees Pet Oct 7 Oct
Oct 17
MORGAN, JOHN, Brynawel, Ystradgynlais, Brecon, Mining
Contractor Aberystwyth Pet Oct 16 Oct 16
MOUNTEY, CHARLES, Ashford in the Water, Derby, Inn-
keeper Derby Pet Oct 18 Oct 18
POLKINGHORNE, JAMES DAVID, Rhyl, Flint, Journalist
Bangor Pet Oct 17 Oct 17
POLLOCK, MATILDA HENRY, Blaenavon, Draper Tredgar
Pet Oct 16 Oct 16
PUNCHARD, ARTHUR GEORGE, Heigham, Norwich, Licensed
Victualler Norwich Pet Oct 16 Oct 18
ROBERTS, JOHN THOMAS, Penryn, Ruzon, Denbigh,
Model Maker Wrexham Pet Oct 18 Oct 18
SCHRODER, GUSTAV, Widdington, Manchester, Commission
Agent Manchester Pet Oct 17 Oct 17
SCOTT, ROBERT HERBERT, Southend on Sea, Civil Engineer
High Court Pet Aug 19 Oct 14
SHARP, JONAS FRANCIS MAIWARE, Gillingham, Dorset,
Newspaper Proprietor Salisbury Pet Sept 6 Oct
Oct 17
SIMMONDS, ALFRED FORBES, Isleworth, Dairyman Brent-
ford Pet Oct 16 Oct 16

SMITH, HERBERT, Sun st, Finsbury, Stock Dealer High
Court Pet July 18 Oct 14
STEPHENS, WILLIAM CHARLES, Southend on Sea, Builder
Chelmsford Pet Oct 17 Oct 17
TAYLOR, WILLIAM, Bockham Farm, Mersham, Kent,
Farmer Canterbury Pet Oct 17 Oct 17
TOMKIN, GEORGE THOMAS, Marden, Kent, Farm Manager
Maidstone Pet Oct 17 Oct 17
TRENKLE, DAVID, Catway, nr Kidwelly, Carmarthen,
Farmer Carmarthen Pet Oct 17 Oct 17
VINCENT, GEORGE FREDERICK, Fydenham, Organist
Greenwich Pet S-pt 12 Oct 17
WAITE, BETTIE THOMAS, Amesbury, nr Salisbury, Cycle
Agent Salisbury Pet Oct 17 Oct 17
WATT, ROBERT GLENDINNING, Hastings, Baker Lewes Pet
Oct 16 Oct 16
WEATHERILL, JOSEPH STEPHEN, Birmingham, Confectioner
Coventry Pet Sept 28 Oct 16
WHITWORTH, ARTHUR EDWIN, Chiswick Brentford Pet
Aug 9 Oct 14
WIGGOLSWORTH, JOSEPH EDWARD, Burnley, Grocer Burnley
Pet Oct 17 Oct 17
WILBY, GEORGE, Oset, Yorks, Rag Merchant Dewsbury
Pet Oct 18 Oct 18

London Gazette.—TUESDAY, Oct. 24.

RECEIVING ORDERS.

ADAMS, JOHN, Syston, Leicester, Builders' Merchant
Leicester Pet Oct 21 Oct 21
ARTHURTON, HENRY GEORGE, Norwich, Coach Builder
Norwich Pet Oct 19 Oct 19
BUSH, LEOPOLD EDWARD, Ascot, Fishmonger Kingston,
Surrey Pet Oct 21 Oct 21
CLARK, JOHN HENRY, Bradford, Newsagent Bradford
Pet Oct 21 Oct 21
CLEMMITT, RICHARD, Scarborough Scarborough Pet
Oct 21 Oct 21
COPE, FRED JOHN, Wolverhampton, Accountant Wolver-
hampton Pet Oct 17 Oct 20
DASHWOOD, CHARLES JAMES, Newport, I of W, Brewer
Newport Pet Oct 21 Oct 21
DAVSON, WILLIAM, Binchester Blocks, nr Bishop Auckland,
Durham, Miner Durham Pet Oct 4 Oct 20
DIBBEN, WILLIAM, Chelmsford, Hairdresser Chelmsford
Pet Oct 19 Oct 19
DICKERSON, RALPH FREDERICK, St Andrew's rd, West
Kensington, Journalist High Court Pet Sept 7 Oct
Oct 20
ELLISON, THOMAS, General, Yorks, Joiner Dewsbury Pet
Oct 21 Oct 21
EVANS, EVAN PRICE, and EVAN ROBERTS, Brynmawr,
Carmarthen, Builders Carmarthen Pet Oct 19 Oct
Oct 19
FARR, LAWRENCE JOHN, Waltham, Veterinary Surgeon Gt
Grimsby Pet Oct 19 Oct 19
FERRIS, ALBERT ARUNDEL, Bromley, Publican Croydon
Pet Sept 18 Oct 10
FIELD, JOSEPH GEORGE DABRY HUGHES, Bengeworth, nr
Evesham, Worcester, Market Gardener Worcester Pet
Oct 20 Oct 20
FLATMAN, RICHARD, Scarborough, Insurance Agent Scar-
borough Pet Oct 20 Oct 20
FLEMING, PERCY, Halifax, Brushmaker Halifax Pet Oct
19 Oct 19
GENSLAND, ALBERT LIVERY, Cherrington, Cambs,
Architect Cambridge Pet Oct 6 Oct 21
GALBRAITH, THOMAS, Fetherton rd, Canonbury, Physician
High Court Pet Sept 19 Oct 20
GIBSON, G. Wigan, Licensed Victualler Wigan Pet Oct 4
Oct 19
HAYCROFT, GEORGE WILLIAM, jun, Kingston upon Hull,
Engineer Kingston upon Hull Pet Oct 20 Oct 20
HINGLEY, JOHN, Halesowen, Worcester, Nail Manufacturer
Shropshire Pet Oct 18 Oct 18
HOLMAN, RICHARD HOLE LAWRENCE, Torquay, Job Master
Exeter Pet Oct 18 Oct 18
LEON, ROBERT, Lacey, Lincs, Blacksmith Gt Grimsby
Pet Oct 20 Oct 20
LINNEY, EDWIN, Nottingham, Licensed Victualler Notting-
ham Pet Oct 20 Oct 20
MOLL, GEORGE, and WILLIAM EASTER, Norwich, Fish
Merchants Norwich Pet Oct 21 Oct 21
MORLEY, MILNE, Wellington, Salop, Architect Madeley
Pet Oct 20 Oct 20
NEALE, BENJAMIN, Widdington, Manchester, Commercial
Clerk Manchester Pet Oct 20 Oct 20
NORTH, JOSEPH, Basford, Nottingham, Carriage Builder
Nottingham Pet Oct 19 Oct 19
PREKES, HERBERT CHARLES, Walsall, Art Furnisher Walsall
Pet Oct 19 Oct 19
PERT, HENRY, East Challow, Berks, Farmer Oxford Pet
Oct 20 Oct 20
PHILLIPS, ARTHUR ALBANY, Wood Green, Grocer Edmon-
ton Pet Oct 30 Oct 20
POLKINGHORNE, MARTHA ANN, Rhyl, Flint, Fancy Goods
Dealer Bangor Pet Oct 17 Oct 17
QUANTRELL, FREDERICK HENRY, Essex, Wheelwright High
Court Pet Oct 19 Oct 20
RINOR, GEORGE, Maidenhead, Domestic Machinery Dealer
Windsor Pet Oct 19 Oct 19
ROXBOROUGH, J. Bishopgate Goods Station, Tobaccoist
High Court Pet Oct 18 Oct 28
SIMMONS, JAMES WILLIAM, Kirkley, Suffolk, Smack Master
Gt Yarmouth Pet Oct 20 Oct 20
STONE, ELIZABETH, Southport, Spinster High Court Pet
Sept 28 Oct 14
SWINER, WILLIAM HARTLEY, Kingston upon Hull Kingston
upon Hull Pet Oct 20 Oct 20
SWINNEY, THOMAS, Union st, Old Broad st, Chartered
Accountant High Court Pet Aug 4 Oct 19
TILLY, JOHN HENRY, Queen Victoria st, Accountant High
Court Pet Oct 4 Oct 19
TROWBRIDGE, TOM, Roceombs, Rournemouth, Draper's
Assistant Poole Pet Oct 20 Oct 20
WILLET, CHARLES EDWARD, Moldgreen, Huddersfield,
Insurance Superintendent Huddersfield Pet Sept 25
Oct 16
WILLIAMS, FANNY, Gloucester, Innkeeper Gloucester Pet
Oct 11 Oct 21

Amended notice substituted for that published in the
London Gazette of Oct 10:
BONNEY, WILLIAM JOHN, and HERBERT BAIGENT, Walton
on Thames, Surrey, Builders Kingston, Surrey Pet
Oct 4 Oct 4

Amended notice substituted for that published in the
London Gazette of Oct 13:
HAINES, ALLEN LANCASTER FARMER, and JAMES CHARLES
FARMER HAINES, Birmingham, Fruit Salesmen Bir-
mingham Pet Oct 9 Oct 9

FIRST MEETINGS.

ASTON, JOSEPH, Wolverhampton, Hawker Nov 2 at 11
Off Rec, Wolverhampton
ATKINSON, WILLIAM, Swansea, Engineer Nov 2 at 12
Off Rec, 31, Alexandra rd, Swansea
BROADHURST, WILLIAM CLAYTON, Stockport, Builder Nov
8 at 11 Off Rec, Castle chmbrs, 8, Vernon st, Stockport
CRAWLEY, ANN, blackpool, Lodging house Keeper Nov 3
at 2.45 Off Rec, 14, Chapel st, Preston
CHRISTIE, JAMES CHARLES, Barking, Essex, Traveller Nov
2 at 3 14, Bedford row
CLARE, JOHN HERBERT, Bradford, Newsagent Nov 3 at
8 Off Rec, 29, Tyrryl st, Bradford
CLARKSON, MOUNTFOOT CHARLES, Bridlington, Plumber
Nov 1 at 4 74, Newbrough, Scarborough
CLIFFE, JAMES, Longton, Staffs, Butcher Nov 1 at 12 Off
Rec, King st, Newcastle, Stafford
COOPER, JAMES, Beeston Sandy, Market Gardener Nov 2 at
11 Messrs Halliwell & Morrison, Solicitors, Mill st,
Bedford
COUZENS, JAMES, Gt Cressingham, Norfolk, Baker Nov 4
at 12.30 Off Rec, 8, King st, Norwich
DAVIES, EDWARD BAILEY, Doncaster, Fitter Nov 2 at 11.30
Off Rec, Figuee Ln, Sheffield
DAVIS, PETER, Tenbury, Worcester Nov 3 at 3 Off Rec,
189, Wolverhampton st, Dudley
DANWYN, JAMES NEWBY, Gt Yarmouth, Builder Nov 4 at 12
Off Rec, 8, King st, Norwich
DELNEVO, JOSEPH, High Wycombe, Ice Cream Maker Nov
2 at 12 Off Rec, 1, St Aldates, Oxford
DICKSON, RALPH FREDERICK, St Andrew's rd, West
Kensington, Journalist Nov 2 at 11 Bankruptcy
bldg, Carey st
DICKINSON, THOMAS BALSHAW, Claremont Park, Blackpool,
Stockbroker Nov 3 at 2.30 Off Rec, 14, Chapel st,
Preston
ELLIS, GEORGE, Failsforth, Lancs, Surgeon Nov 7 at 11
Off Rec, Graves st, Oldham
ELLISON, THOMAS, General, Yorks, Builder Nov 1 at 11
Off Rec, Bank chmbrs, Corporation st, Dewsbury
FIELD, JOHN GEORGE DABRY HUGHES, Bengeworth, nr
Evesham, Market Gardener Nov 3 at 10.30 43, Cupa-
hagen st, Worcester
FLEMING, PERCY, Halifax, Brushmaker Nov 6 at 11.30
Off Rec, Townhall chmbrs, Halifax
GALBRAITH, THOMAS, Fetherton rd, Canonbury, Physician
Nov 3 at 12 Bankruptcy bldg, Carey st
GEAR, JOSEPH, Gamlingay, Cambs, Blacksmith Nov 2 at
11.30 Messrs Halliwell & Morrison, Solicitors, Mill st,
Bedford
GIBSON, GEORGE, Wigan, Licensed Victualler Nov 2 at 3
19, Exchange st, Bolton
GRANVILLE, JOHN, Wakefield, Confectioner Nov 1 at 11
Off Rec, 6, Bond st, Wakefield
GREGORY, GEORGE WILLIAM, Sutton in Ashfield, Builder
Nov 1 at 13 Off Rec, 4, Castle pl, Park st, Nottingham
GRUNDY, FRANK RICHARD, Birmingham, Butcher Nov 3
at 12 191, Corporation st, Birmingham
HAND, THOMAS EDWARD, King's Norton, Worcester,
Plumber Nov 2 at 12 191, Corporation st, Bir-
mingham
HILL, ELIZA, Leicester Nov 1 at 3 Off Rec, 1, Berridge
st, Leicester
HILL, JAMES, Haslingden, Lancs, Operative Cotton Spinner
Nov 3 at 3.30 Off Rec, 14, Chapel st, Preston
HILL, THOMAS, Wolverhampton, Electrical Engineer Nov
7 at 11 Off Rec, Wolverhampton
HOLMAN, RICHARD HOLE LAWRENCE, Torquay, Job Master
Nov 2 at 10.30 Off Rec, 9, Bedford circus, Exeter
HOWARD, PERCY STEPHEN, Charlton, Kent, Builder Nov 2
at 11.30 24, Railway app, London Bridge
HUNT, JOSEPH RICHARD, and WILLIAM HENRY HUNT,
Eccleston, nr Prescot, Lancs, Farmers Nov 1 at 3 Off
Rec, 35, Victoria st, Liverpool
JOLLY, EMILY, Cardiff, Licensed Victualler Nov 1 at 11
117, St Mary st, Cardiff
JONES, HENRY ROBERT, HM Prison, Wandsworth Nov 3
at 11.30 24, Railway app, London Bridge
KEARNS, FRANK JAMES, Brynmawr, Brecon, Saddler
Nov 2 at 12 185, High st, Merthyr Tydfil
KISGROD, JOHN LEE, Leicester, Butcher's Salesman Nov 1
at 11 Off Rec, 4, Castle pl, Park st, Nottingham
LAYCOCK, HORACE SCOTT, Earlsfield, Commercial Traveller
Nov 2 at 12.30 24, Railway app, London Bridge
LEON, ROBERT, Lacey, Lincs, Blacksmith Nov 2 at
10.30 Off Rec, St Mary's church, Gt Grimsby
LEVY, B J & M, Bevis Marks, Clothiers Nov 3 at 11
Bankruptcy bldg, Carey st
LIQUETT, HAMILTON, Birmingham, Provision Dealer Nov 6
at 11 191, Corporation st, Birmingham
LORD, SAM, Birkdale Nov 1 at 12 Off Rec, 35, Victoria
st, Liverpool
MCARTHUR, PETER, West Hartlepool, Grocer Nov 1 at 3
Off Rec, 3, Manor pl, Sunderland
MARTIN, HUBERT, Kingston Hill, Kingston on Thames,
Builder Nov 3 at 12 24, Railway app, London Bridge
MARTIN, FREDERICK, Camelford, Cornwall, Baker Nov 2 at
12 Off Rec, Bowcaven st, Truro
MEAD, WILLIAM, Irthlingborough, Northampton, Farmer
Nov 3 at 12 Off Rec, Bridge st, Northampton
MILLER, ABRAHAM, Teesdale st, Hackney, Boot Manu-
facturer Nov 3 at 3 Bankruptcy bldg, Carey st
MORGAN, JOHN, Ystradgynlais, Brecon, Mining Contractor
Nov 2 at 12.30 Off Rec, 31, Alexandra rd, Swansea
MORLEY, MILNE, Wellington, Salop, Architect Nov 2
at 12.30 Charlton Hotel, Wellington, Salop
MOUNTEY, CHARLES, Ashford in the Water, nr Bakewell,
Derby, Innkeeper Nov 1 at 12 Off Rec, 47, Full st,
Derby

MURIEL, FRANK C, West Cromwell rd, South Kensington Nov 6 at 12 Bankruptcy bldgs, Carey at
 OSWIN, HARRY, Walsall, Staffs, Builder Nov 2 at 11.30 Off Rec, Wolverhampton
 POLLOCK, MATTHEW, HESTER, Blakeney, Draper Nov 1 at 12 135, High st, Merthyr Tydfil
 QUANTILL, FREDERICK HENRY, Lawr ter, Lea Bridge rd, Wheelwright Nov 2 at 11 Bankruptcy bldgs, Carey at
 REDFERN, GEORGE HENRY, Workshop, Notts, Cycle Maker Nov 2 at 12 Off Rec, Figtree Ln, Sheffield
 SCHROEDER, QUENTIN, Withington, Manchester, Commission Agent Nov 1 at 3 Off Rec, Byrom st, Manchester
 SIMMONDS, ALFRED FORBES, Laleworth, Dairyman Nov 2 at 12 Off Rec, 14, Bedford row
 SMART, CHARLES WILLIAM HERBERT, Baitley, Birmingham, Brewer Nov 1 at 11 191, Corporation st, Birmingham
 SMITH, ALFRED CHARLES, Market Harborough, Leicester, Tailor Nov 1 at 12 Off Rec, 1, Berridge st, Leicester
 SMITH, GEORGE, South Shore, Blackpool, Cabinet Maker Nov 3 at 3 Off Rec, 14, Chapel st, Preston
 SMITH, JACOB HARDY, Wigginton, nr Tamworth, Staffs, Horse Dealer Nov 1 at 12 191, Corporation st, Birmingham
 STEVENSON, BENJAMIN, Gt Grimsby, Milk Dealer Nov 1 at 11 Off Rec, St Mary's chmbrs, Gt Grimsby
 SWINNEY, THOMAS, Union ct, Old Broad st, Chartered Accountant Nov 2 at 2.30 Bankruptcy bldgs, Carey at
 TAYLOR, WILLIAM, Mersham, Kent, Farmer Nov 16 at 9 Off Rec, 68, Castle st, Canterbury
 TILL, JOHN HENRY, Queen Victoria st, Accountant Nov 2 at 12 Bankruptcy bldgs, Carey at
 VINCENT, GEORGE FREDERICK, Sydenham, Organist Nov 1 at 12.30 24, Railway app, London Bridge
 WAITE, BERTIE THOMAS, Amesbury, nr Salisbury, Cycle Agent Nov 2 at 2.30 Off Rec, City chmbrs, Catherine st, Salisbury
 WALSH, BEATRICE, Birmingham, Provision Merchant Nov 3 at 11 191, Corporation st, Birmingham
 WILBY, GEORGE, Ouseley, Yorks, Bag Merchant Nov 1 at 11.30 Off Rec, Bank chmbrs, Corporation st, Dewsbury
 YOMANS, GEORGE, Fernborough, Builder Nov 3 at 12.30 24, Railway app, London Bridge

ADJUDICATIONS.

ABRAHAM, JOSEPH, Dover st, Piccadilly, Licensed Victualler High Court Pet Oct 20 Ord Oct 21
 AUSTIN, HENRY GEORGE, Norwich, Coachbuilder Norwich Pet Oct 19 Ord Oct 19
 BENWELL, HORATIO, Oxford, Coal Merchant's Manager Oxford Pet Oct 14 Ord Oct 20
 BODDINGTON, ERNEST ASHLIGH, Ebury st, Financial Agent High Court Pet April 13 Ord Oct 17
 CHRISTIE, JAMES CHARLES, Barking, Essex, Traveller Chelmsford Pet Aug 3 Ord Oct 20
 CLARK, JOHN HERBERT, Bradford, Newsagent Bradford Pet Oct 21 Ord Oct 21
 CLEMMITT, RICHARD, Scarborough Scarborough Pet Oct 21 Ord Oct 21
 CREES, GEORGE, Ilfracombe, Worcester Pet Sept 14 Ord Oct 19
 DAVIS, PETER, Tenbury, Worcester Kidderminster Pet Sept 6 Ord Oct 20
 DE BRANDT, DR VICTOR, Upper ter, Hampstead High Court Pet July 23 Ord Oct 17
 DIBBES, WILLIAM, Chelmsford, Hairdresser Chelmsford Pet Oct 19 Ord Oct 19
 EVANS, EVAN PRICE, and EVAN ROBERTS, Brynmaman, Carmarthen, Builders Carmarthen Pet Oct 19 Ord Oct 19
 FAIRINGHAM, THOMAS, Kingston upon Hull, General Draper Kingston upon Hull Pet Aug 31 Ord Oct 19
 FAIR, LAWRENCE JOHN, Gt Grimsby, Veterinary Surgeon Gt Grimsby Pet Oct 19 Ord Oct 19
 FIELD, JOHN GEORGE DARBY HUGHES, Bengworth, nr Evesham, Market Gardener Worcester Pet Oct 20 Ord Oct 20
 FLATHAM, RICHARD, Scarborough, Insurance Agent Scarborough Pet Oct 20 Ord Oct 20
 FLEMING, FENNY, Halifax, Brushmaker Halifax Pet Oct 19 Ord Oct 19
 GOLDBERG, ISAAC, and MENDEL MEHLMAN, Ash Grove, Hackney, Boot Manufacturers High Court Pet Sept 6 Ord Oct 20
 GRUNDY, FRANCIS RICHARD, Birmingham, Butcher Birmingham Pet Sept 30 Ord Oct 21
 HARDY, ROBERT, and JOHN ROGER HARDY, Bury, Lancs, Coachbuilders Bolton Pet Oct 2 Ord Oct 21
 HAVENSCOTT, GEORGE WILLIAM, jun, Kingston upon Hull, Engineer Kingston upon Hull Pet Oct 20 Ord Oct 20
 HINGLEY, JOHN, Halesowen, Worcester, Grocer Stourbridge Pet Oct 18 Ord Oct 18
 HOLMAN, RICHARD ROSE LAWRENCE, Torquay, Job Master Exeter Pet Oct 18 Ord Oct 18
 LARSON, ROBERT, Lacey, Lancs, Blacksmith Gt Grimsby Pet Oct 20 Ord Oct 20
 LANNET, EDWIN, Nottingham, Licensed Victualler Nottingham Pet Oct 20 Ord Oct 20
 MACCORMAC, JOHN SIDES DAVIES, Artillery bldgs, Victoria st, Surgeon High Court Pet Aug 24 Ord Oct 18
 MASTER, HUBERT, Kingston on Thames, Builder Kingston, Surrey Pet Oct 11 Ord Oct 19
 MITCHELL, CHARLES, Bishop Auckland, Durham, Plumber Durham Pet Oct 17 Ord Oct 19
 MOLL, GEORGE, and WILLIAM EASTON, Norwich, Fish Merchants Norwich Pet Oct 21 Ord Oct 21
 MOORE, WILLIAM ROGER CALDWELL, Palmerston House, Old Broad st, Chartered Accountant High Court Pet July 10 Ord Oct 18
 NEALE, BENJAMIN, Withington, Commercial Clerk Manchester Pet Oct 20 Ord Oct 20
 NORTH, JOSEPH, Basford, Nottingham, Carriage Builder Nottingham Pet Oct 19 Ord Oct 19
 PARKER, HERBERT CHARLES, Walsall, Art Furnisher Walsall Pet Oct 19 Ord Oct 19
 PEROTTI, PAUL, Cheap-side, Code Specialist High Court Oct Sept 27 Ord Oct 31
 PERR, HENRY, East Challow, Berks, Farmer Oxford Pet Oct 20 Ord Oct 20
 PHILLIPS, ARTHUR ALBERT, Wood Green, Grocer Edmonton Pet Oct 20 Ord Oct 20

POLKINGHORNE, MARTHA ANN, Rhyl, Flint, Fancy Goods Dealer Bangor Pet Oct 17 Ord Oct 17
 POWELL, CHRISTIANA, Sevenoaks Tunbridge Wells Pet Oct 14 Ord Oct 18
 QUANTILL, FREDERICK HENRY, Lawr ter, Lea Bridge rd, Wheelwright High Court Pet Oct 19 Ord Oct 20
 RIZOS, GEORGE, Maidenhead, Domestic Machinery Dealer Windsor Pet Oct 19 Ord Oct 19
 ROBSON, GEORGE, and JOHN SAMSON ROBSON, Newcastle on Tyne, Electrical Engineers Newcastle on Tyne Pet Oct 3 Ord Oct 14
 SIMMONS, JAMES WILLIAM, Kirkley, Suffolk, Smack Master Gt Yarmouth Pet Oct 20 Ord Oct 20
 SMANT, CHARLES WILLIAM HERBERT, Kalliey, Birmingham, Brewer Birmingham Pet Aug 12 Ord Oct 20
 SMITH, JACOB HARDY, Wigginton, nr Tamworth, Staffs, Horse Dealer Birmingham Pet Aug 5 Ord Oct 20
 SWIERS, WILLIAM HARTLEY, Kingston upon Hull Kingston upon Hull Pet Oct 20 Ord Oct 20
 TROWBRIDGE, TOM, Boscombe, Bournemouth, Draper's Assistant Poole Pet Oct 20 Ord Oct 20

Amended notice substituted for that published in the London Gazette of Oct 17:

HAINES, ALLEN LANCASTER FARMER, and JAMES CHARLES FARMER HAINES, Birmingham, Fruit Salesman Birmingham Pet Oct 9 Ord Oct 12

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The Public General Statutes

FOR THE SESSION

5 EDWARD 7, 1905.

[STATUTES OF PRACTICAL IMPORTANCE RELATING TO ENGLAND AND WALES ONLY
ARE SET OUT AT LENGTH.]

"SOLICITORS' JOURNAL" OFFICE, 27, CHANCERY LANE, LONDON.

1905.

24th Nov 1944

Dear Sir,

I have the pleasure to acknowledge the receipt of your letter of the 14th inst.

in relation to the above matter.

I am sorry that I cannot give you a more definite answer at this time.

Very truly yours,

Yours faithfully,

Mr. J. H. Smith

123 Main Street

London, W.C.2

Telephone: 1234

Reference: 1234

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STATUTES.

5 EDW. 7.

CHAPTER I.

[Consolidated Fund (No. 1) Act, 1905.]

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and five and one thousand nine hundred and six.

[30th March 1905.]

CHAPTER 2.

[Army (Annual) Act, 1905.]

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[14th April 1905.]

Whereas the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law :

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of two hundred and twenty-one thousand three hundred, including those to be employed at the dépôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions :

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid :

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea :

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm ; yet nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline

be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow :

And whereas the Army Act [44 & 45 Vict. c. 58] will expire in the year one thousand nine hundred and five on the following days :

(a) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April ; and

(b) Elsewhere in Europe, inclusive of Malta, and also in the West Indies and America, on the thirty-first day of July ; and

(c) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of December :

Be it therefore enacted, &c. :

1. *Short title.* This Act may be cited as the Army (Annual) Act, 1905.

2. *Army Act to be in force for specified times.*—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say) :—

(a) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and five to the thirtieth day of April one thousand nine hundred and six, both inclusive ; and

(b) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand nine hundred and five to the thirty-first day of July one thousand nine hundred and six, both inclusive ; and

(c) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of December one thousand nine hundred and five to the thirty-first day of December one thousand nine hundred and six, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number hereinbefore mentioned.

3. *Prices in respect of billeting.* There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the Schedule to this Act.

SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Fourpence per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act.	One shilling and threepence halfpenny each.
Breakfast as so specified . . .	One penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer.	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 3.

[Licensing (Ireland) Act, 1905.]

An Act to amend the Law as to the Hours of Closing of Licensed Premises on Christmas Day in Ireland.

[30th June 1905.]

CHAPTER 4.

[Finance Act, 1905.]

An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue and the National Debt, and to make other provisions for the financial arrangements of the year.

[30th June 1905.]

Be it enacted, &c. :

PART I.

CUSTOMS AND EXCISE.

1. *Duty on tea.* There shall, on and after the first day of July nineteen hundred and five, until the first day of July nineteen hundred and six, be charged, levied, and paid on tea imported into Great Britain or Ireland the following duty (that is to say) :—

Tea, the pound . . . sixpence.

2. Continuance of additional customs duties and drawbacks on tobacco, beer, and spirits.] The additional duties of customs on tobacco, beer, and spirits imposed by sections two, three, four, and five of the Finance Act, 1900 [63 & 64 Vict. c. 7] (including the increased duties imposed by section five of that Act), shall continue to be charged, levied, and paid until the first day of July nineteen hundred and six, and, as regards the period for which any additional drawback is allowed under the said section four, July nineteen hundred and six shall be substituted for August nineteen hundred and one.

3. Continuance of additional excise duties and drawbacks on beer and spirits.] The additional duties of excise on beer and spirits imposed by sections six and seven of the Finance Act, 1900 [63 & 64 Vict. c. 7], shall continue to be charged, levied, and paid until the first day of July nineteen hundred and six, and, as regards the period in respect of which any additional drawback is allowed under the said section six, July nineteen hundred and six shall be substituted for August nineteen hundred and one.

4. Abolition of warehouse delivery charges.] The rates charged under section six of the Finance Act, 1904 [4 Edw. 7, c. 7], and section seven of the Customs and Excise Warehousing Act, 1869 [32 & 33 Vict. c. 103], on the delivery of goods from a warehouse for home consumption, shall cease to be chargeable.

PART II.

STAMPS.

5. Abolition of stamp duty on export bonds, &c., and on delivery orders.]—(1) The stamp duty charged by the Stamp Act, 1891 [54 & 55 Vict. c. 39], under the heading in the heading in the First Schedule to that Act, "Bond given pursuant to the directions of any Act, &c.," shall cease to be chargeable on bonds given in respect of removal, transhipment, exportation, carriage coastwise, or shipment at stores of any goods, and the exemption under that heading shall be construed as if it included such bonds.

(2) The stamp duty charged by the Stamp Act, 1891, under the heading "Delivery Order" in the First Schedule to that Act shall cease to be chargeable.

PART III.

INCOME TAX AND INHABITED HOUSE DUTY.

6. Income tax for 1905-1906.]—(1) Income tax for the year beginning on the sixth day of April nineteen hundred and five shall be charged at the rate of one shilling.

(2) All such enactments relating to income tax as were in force on the fifth day of April nineteen hundred and five shall have full force and effect with respect to the duty of income tax hereby granted.

(3) The annual value of any property, which has been adopted for the purpose either of income tax under Schedules A. and B. in the Income Tax Act, 1853 [16 & 17 Vict. c. 34], or of inhabited house duty, during the year ending on the fifth day of April nineteen hundred and five, shall be taken as the annual value of such property for the same purpose during the next subsequent year; provided that this sub-section—

(a) so far as respects the duty on inhabited houses in Scotland, shall be construed with the substitution of the twenty-fourth day of May for the fifth day of April; and

(b) shall not apply to the Metropolis as defined by the Valuation (Metropolis) Act, 1869 [32 & 33 Vict. c. 67].

PART IV.

NATIONAL DEBT.

7. Repayment of money raised under the Supplemental War Loan Acts of 1900.]—(1) Any sums required for paying off any Exchequer bonds issued under the Supplemental War Loan Acts of 1900 [63 & 64 Vict. c. 61 & 64 Vict. c. 1], and falling due in December nineteen hundred and five, may, up to an amount not exceeding ten million pounds, be raised by means of the issue of Exchequer bonds, which shall be paid off in ten years from the date of issue at the rate of one-tenth part of the total issue in each year.

(2) The bonds to be redeemed shall be drawn

in each year in accordance with regulations made by the Treasury, and the bonds so drawn in any year shall be redeemed on the eighteenth day of April in that year by the application for the purpose of the requisite part of the new sinking fund of the previous financial year, at the rate of one hundred pounds sterling for every one hundred pounds of the bond.

(3) Exchequer bonds issued under this section shall, notwithstanding anything in section twenty-six of the Exchequer Bills and Bonds Act, 1886 [29 & 30 Vict. c. 25], be made out and issued with coupons for the interest becoming due thereon for a term of ten years from the date thereof.

(4) The amount of the permanent annual charge for the National Debt under section one of the Sinking Fund Act, 1875 [38 & 39 Vict. c. 45], during the current and every subsequent financial year shall be the sum of twenty-eight instead of twenty-seven million pounds.

(5) Any sums required for defraying any expenses incurred in connection with raising or paying off any money raised under this section, and the principal of and interest on any Exchequer bonds issued under this section, shall be charged on and be payable out of the Consolidated Fund of the United Kingdom or the growing produce thereof, and as to the interest shall be paid as part of the permanent annual charge for the National Debt.

PART V.

GENERAL.

8. Repeal, construction, and short title.]—(1) The Acts specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) Part I. of this Act so far as it relates to duties of customs shall be construed together with the Customs Consolidation Act, 1876 [39 & 40 Vict. c. 36], and the Acts amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

(3) This Act may be cited as the Finance Act, 1905.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
32 & 33 Vict. c. 103.	The Customs and Excise Warehousing Act, 1869.	The whole Act, so far as unrepealed.
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section one hundred and four, from "but no such notice" to the end of the section.
54 & 55 Vict. c. 39.	The Stamp Act, 1891.	Sections sixty-nine, seventy, and seventy-one. In the First Schedule the words "DELIVERY ORDER - 0 0 1. And see sections 69, 70, and 71."
3 Edw. 7, c. 8.	The Finance Act, 1903.	Sub-section (1) of section six.
3 Edw. 7, c. 46.	The Revenue Act, 1903.	Section six.
4 Edw. 7, c. 7.	The Finance Act, 1904.	Section six.

CHAPTER 5.

[Mr. Speaker's Retirement Act, 1905.]

An Act to settle and secure an Annuity upon the Right Honourable William Court Gully in consideration of his eminent Services.

[11th July 1905.]

Most Gracious Sovereign,

Whereas the Commons of the United Kingdom

of Great Britain and Ireland did, by an humble address to Your Majesty, pray Your Majesty that you would be graciously pleased to confer some signal mark of your royal favour upon the Right Honourable William Court Gully, Speaker of the House of Commons, for his eminent services during the important period in which he had with such distinguished ability and dignity presided in the Chair of the House, and did assure Your Majesty that whatever expense Your Majesty should think proper to be incurred upon that account the said House would make good the same:

And whereas Your Majesty in answer to the said address was graciously pleased to declare that Your Majesty was desirous, in compliance with the wishes of your faithful Commons, to confer upon the said Right Honourable William Court Gully some signal mark of your royal favour, but as the same could not be effectually granted and secured without the concurrence of Parliament, Your Majesty recommended to the House of Commons the adoption of such measures as might be necessary for the accomplishment of that purpose:

Now we, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, have resolved that the annual sum of four thousand pounds be granted to Your Majesty out of the Consolidated Fund of the United Kingdom, to begin upon the day upon which the Right Honourable William Court Gully, late Speaker of the House of Commons, ceased to hold the office of Speaker of the House of Commons, to be settled in the most beneficial manner upon, and to continue during the life of, him the said Right Honourable William Court Gully, and do most humbly beseech Your Majesty that it may be enacted, and be it enacted, &c.:—

1. Annuity of £4,000 to be paid to the Right Honourable William Court Gully.] One annuity of four thousand pounds shall be charged upon and payable quarterly out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, to the Right Honourable William Court Gully, during his natural life, beginning on the day upon which he ceased to hold the office of Speaker of the House of Commons: Provided that one half of the annuity shall abate and be suspended during any period that the said Right Honourable William Court Gully hereafter holds any place, office, or employment under His Majesty of equal or greater amount in salary, profits, or emolument than the amount of the annuity.

2. Treasury to direct payment of annuity.] The Treasury are hereby authorized and required by warrants under their hands to direct the payment of the said annuity according to the provisions of this Act.

3. Short title.] This Act may be cited as Mr. Speaker's Retirement Act, 1905.

CHAPTER 6.

[Consolidated Fund (No. 2) Act, 1905.]

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and six. [11th July 1905.]

CHAPTER 7.

[War Stores (Commission) Act, 1905.]

An Act to facilitate the proceedings of the Commissioners appointed to hold an Investigation respecting War Stores in South Africa. [11th July 1905.]

Whereas a Commission has been issued by His Majesty whereby the Honourable Mr. Justice Farwell, the Right Honourable Sir George Taubman-Goldie, K.C.M.G., Field Marshal Sir George White, G.C.B., Sir Francis Mowatt, G.C.B., and Samuel Hope Morley, Esquire (hereinafter referred to as "the Commissioners"), have been authorized and directed to investigate and report upon the allegations made in the report of the committee presided over by Lieutenant-General Sir W. F. Butler, K.C.B., dated May 22nd last; and all the circumstances connected with contracts, sales, and refunds to or by contractors in South Africa or elsewhere after the conclusion

of peace, and any previous transactions which may throw light on them; and further to report upon the responsibility of the persons concerned, whether in this country or in South Africa:

And whereas it is desirable to make provision for the more effective conduct by the Commissioners of any investigation which they may be authorized to make:

Be it therefore enacted, &c.:

1. Powers of Commissioners.]—(1) The Commissioners shall have all such powers, rights, and privileges as are vested in the High Court or in any judge thereof, on the occasion of any action in respect of the following matters:—

- (i) The enforcing the attendance of witnesses and examining them on oath, affirmation, or otherwise, and the issue of a commission or a request to examine witnesses abroad; and
- (ii) The compelling the production of documents; and
- (iii) The punishing persons guilty of contempt;

and a summons signed by one or more of the Commissioners may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

(2) A warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be signed by one or more of the Commissioners, and shall specify the prison to which the offender is to be committed, but shall not authorize the imprisonment of an offender for a period exceeding three months.

(3) Every person who on examination on oath or affirmation before the Commissioners wilfully gives false evidence shall be liable to the penalties for perjury.

2. Indemnity to witnesses.]—(1) A person examined as a witness by the Commissioners shall not be excused from answering any question put to him, or from producing any document, on the ground that the answer thereto or production thereof may criminate or tend to criminate him.

(2) Every person examined as a witness who, in the opinion of the Commissioners, make a full and true disclosure touching all the matters in respect of which he is examined, shall be entitled to receive a certificate signed by the Commissioners, stating that the witness has, on his examination, made a full and true disclosure as aforesaid.

(3) If any criminal proceeding (including a proceeding by court-martial) is at any time thereafter instituted against any such witness, in respect of any matter touching which he has been so examined, the court having cognizance of the case shall, on his application, and on proof of the certificate, stay the proceeding.

(4) Nothing in this section shall apply to the case of proceedings for having given false evidence before the Commissioners, or of having procured, or attempted or conspired to procure, the giving of such evidence.

3. Short title and extent.]—(1) This Act may be cited as the War Stores (Commission) Act, 1905.

(2) This Act apply only with respect to sittings of the Commissioners in the United Kingdom.

CHAPTER 8.

[Agricultural Rates Act, 1896, &c., Continuance Act, 1905.]

An Act to extend the Agricultural Rates Act, 1896, &c., Continuance Act, 1901.

[4th August 1905.]

Be it enacted, &c.:

1. Extension of 1 Edw. 7, c. 13, for four years.]—The Agricultural Rates Act, 1896, &c., Continuance Act, 1901, shall have effect as if "one thousand nine hundred and ten" were substituted for "one thousand nine hundred and six" wherever those words occur.

2. Short title.] This Act may be cited as the Agricultural Rates Act, 1896, &c., Continuance Act, 1905.

CHAPTER 9.

[Coal Mines (Weighing of Minerals) Act, 1905.]

An Act to amend the provisions of the Coal Mine Regulation Act, 1887, which relate to the Weighing of Minerals.

[4th August 1905.]

Be it enacted, &c.:

1. Amendments of 50 & 51 Vict. c. 58, s. 13 as to check weighers.]—(1) The power conferred by the principal Act on the persons employed in a mine, and paid according to the weight of the mineral gotten by them, to appoint a check weigher, shall include power to appoint a deputy to act in the absence of the check weigher for reasonable cause, and the expression "check weigher" when used in the principal Act and in this Act shall include any such deputy check weigher during such absence as aforesaid.

(2) A statutory declaration, made by the person who presided at a meeting for the purpose of appointing a check weigher, or deputy check weigher, to the effect that he presided at that meeting, and that the person named in the declaration was duly appointed check weigher or deputy check weigher, as the case may be, by that meeting, shall be forthwith delivered to the owner, agent, or manager of the mine, and shall be *prima facie* evidence of that appointment.

(3) Where the check weigher or deputy check weigher was appointed by a majority ascertained by ballot of the persons employed in the mine, and paid according to the mineral gotten, the declaration shall so state, and if he was not so appointed, then it shall state the names of the persons by whom or on whose behalf the check weigher or deputy check weigher was appointed. Where a check weigher or deputy check weigher is appointed by such a majority as aforesaid, he shall be deemed to be appointed on behalf of all the persons employed in the mine who are entitled to appoint him.

(4) The facilities to be afforded to a check weigher under section thirteen of the principal Act shall include provision for a check weigher of a shelter from the weather, containing the number of cubic feet requisite for two persons, a desk or table at which the check weigher may write, and a sufficient number of weights to test the weighing machine.

(5) When a check weigher or deputy check weigher is appointed by a majority ascertained by ballot of the persons employed in the mine, and paid according to the mineral gotten, he shall not be removed by the persons employed in the mine except by a majority ascertained by ballot of the persons employed and paid as aforesaid at the time of the removal.

2. Amendments as to persons who appoint and pay check weighers.]—(1) For the purposes of the principal Act and of this Act the persons who are entitled under section thirteen of the principal Act to appoint a check weigher, and from whom he is entitled under section fourteen of the principal Act to recover his wages or recompense, shall be deemed to include not only the persons in charge of the working places, but also all holers, fillers, trammers, and other persons who are paid according to the weight of the mineral gotten.

(2) Where there are persons employed in a mine who are employed by a contractor who is himself paid according to weight of mineral gotten, such persons, if they are either in charge of the working places or are holers, fillers, trammers, or brushers, shall, notwithstanding that they are paid by the contractor and otherwise than in accordance with the weight of mineral gotten, be deemed to be included among those who are entitled to appoint a check weigher, and from whom he is entitled as aforesaid to recover wages or recompense, but the proportion of such wages or recompense recoverable in respect of such persons shall be paid by the contractor who employs them, and recoverable by the check weigher from him alone.

(3) The wages or recompense which a check weigher may recover under section fourteen of the principal Act shall include expenses properly incurred by him in carrying out his work under the principal Act.

3. Notice of intention to appoint check weigher.]

All persons who are entitled by the principal Act or this Act to appoint a check weigher or deputy check weigher shall have due notice given to them of the intention to appoint a check weigher or deputy check weigher, by a notice posted at the pithead or otherwise specifying the time and place of the meeting, and have the same facilities given to each of them for the purpose of recording their votes either by ballot or otherwise in such appointment.

4. Construction and short title.]—(1) This Act shall be construed as one with the principal Act.

(2) This Act may be cited as the Coal Mines (Weighing of Minerals) Act, 1905, and the Coal Mines Regulation Act, 1887 to 1896, and the Coal Mines Regulation Act (1887) Amendment Act, 1903, and this Act may be cited collectively as the Coal Mines Regulation Acts, 1887 to 1905.

CHAPTER 10.

[Shipowners' Negligence (Remedies) Act, 1905.]

An Act to enlarge the Remedies of Persons injured by the Negligence of Shipowners.

[4th August 1905.]

Be it enacted, &c.:

1. Enlargement of remedy by action for injuries caused by negligence of a shipowner.]—(1) If it is alleged that the owners of any ship are liable to pay damages in respect of personal injuries including fatal injuries caused by the ship, or sustained on, in, or about the ship in any port or harbour in the United Kingdom in consequence of the wrongful act, neglect, or default of the owners of the ship, or the master or officers or crew thereof, or any other person in the employment of the owners of the ship, or of any defect in the ship or its apparel or equipment, and at any time that ship is found in any port or river of England or Ireland, or within three miles of the coast thereof, a judge of any court of record in England or Ireland may, upon its being shown to him by any person applying in accordance with rules of court that the owners are probably liable to pay damages in respect of such injuries, and that none of the owners reside in the United Kingdom, issue an order directed to any officer of customs or other officer named by the judge requiring him to detain the ship until such time as the owners, agent, master, or consignee thereof have made satisfaction in respect of the injuries, or have given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of the injuries, and to pay all costs and damages that may be awarded thereon; and any officer of customs or other officer to whom the order is directed shall detain the ship accordingly.

(2) In any legal proceeding in relation to such injuries as aforesaid, the person giving security shall be made defendant, and shall be stated to be the owner of the ship which has caused the injuries, or on, in, or about which the injuries were sustained, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the defendant to the proceeding.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894 [57 & 58 Vict. c. 60], shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act, and the expressions "port" and "harbour" have the same meaning as in that Act, and, if the owner of a ship is a corporation, it shall for the purposes of this Act be deemed to reside in the United Kingdom if it has an office in the United Kingdom at which service of writs can be effected.

(4) The words "person applying" in this section shall include an employer who has paid compensation or against whom a claim for compensation has been made under the Workmen's Compensation Act, 1897 [60 & 61 Vict. c. 37], as amended by any subsequent enactment, if he shows the judge that he probably is or will become entitled to be indemnified under that Act, and in such case this section shall apply as if the employer were a person claiming damages in respect of personal injuries.

2. Commencement and short title.] This Act shall

come into operation on the first day of January nineteen hundred and six, and may be cited as the Shipowners' Negligence (Remedies) Act, 1905.

CHAPTER II.

[Railway Fires Act, 1905.]

An Act to give Compensation for Damage by Fires caused by Sparks or Cinders from Railway Engines. [4th August 1905.]

Be it enacted, &c.:

1. *Liability of railway companies to make good damage to crops by their engines.*—(1) When, after this Act comes into operation, damage is caused to agricultural land or to agricultural crops, as in this Act defined, by fire arising from sparks or cinders emitted from any locomotive engine used on a railway, the fact that the engine was used under statutory powers shall not affect liability in an action for such damage.

(2) Where any such damage has been caused through the use of an engine by one company on a railway worked by another company, either company shall be liable in such an action; but, if the action is brought against the company working the railway, that company shall be entitled to be indemnified in respect of their liability by the company by whom the engine was used.

(3) This section shall not apply in the case of any action for damage unless the claim for damage in the action does not exceed one hundred pounds.

2. *Powers for extinction and prevention of fire.*—(1) A railway company may enter on any land and do all things reasonably necessary for the purpose of extinguishing or arresting the spread of any fire caused by sparks or cinders emitted from any locomotive engine.

(2) A railway company may, for the purpose of preventing or diminishing the risk of fire in a plantation, wood, or orchard through sparks or cinders emitted from any locomotive engine, enter upon any part of the plantation, wood, or orchard, or on any land adjoining thereto, and cut down and clear away any undergrowth, and take any other precautions reasonably necessary for the purpose; but they shall not, without the consent of the owner of the plantation, wood, or orchard, cut down or injure any trees, bushes, or shrubs.

(3) A railway company exercising powers under this section shall pay full compensation to any person injuriously affected by the exercise of those powers, including compensation in respect of loss of amenity, and any compensation so payable shall, in case of difference, be determined in England and Ireland by two justices in manner provided by section twenty-four of the Lands Clauses Consolidation Act, 1845 [8 & 9 Vict. c. 18], and in Scotland by the sheriff in manner provided by section twenty-two of the Lands Clauses Consolidation (Scotland) Act, 1845 [8 & 9 Vict. c. 19].

3. *Notice of claim.* This Act shall not apply in the case of any action for damage by fire brought against any railway company unless notice of claim and particulars of damage, in writing, shall have been sent to the said railway company within seven days of the occurrence of the damage as regards the notice of claim, and within fourteen days as regards the particulars of damage.

4. *Definitions and application.* In this Act—

The expression "agricultural land" includes arable and meadow land and ground used for pastoral purposes or for market or nursery gardens, and plantations and woods and orchards, and also includes any fences on such land, but does not include any moorland or buildings;

The expression "agricultural crops" includes any crops on agricultural land, whether growing or severed, which are not led or stacked;

The expression "railway" includes any light railway and any tramway worked by steam power.

This Act shall apply to agricultural land under the management of the Commissioners of Woods, and to agricultural crops thereon.

5. *Short title.* This Act shall come into operation on the first day of January, one thousand nine hundred and eight, and may be cited as the Railway Fires Act, 1905.

CHAPTER II.

[Churches (Scotland) Act, 1905.]*

An Act to provide for the settlement of certain questions between the Free Church and the United Free Church in Scotland, and to make certain amendments of the law with respect to the Church of Scotland.

[11th August 1905.]

Whereas questions have arisen as to property between the Free Church and the United Free Church in Scotland and judgments have been given by the courts in favour of the Free Church:

And whereas a Royal Commission appointed to inquire into the matter have reported that the Free Church are unable adequately to carry out all the trusts of the property, and that it is desirable to provide for the allocation thereof, provision being made for the equipment of the Free Church:

And whereas it is expedient to make provision for such allocation by means of the appointment of a Commission:

And whereas it is expedient to amend the law relating to the subscription of the Confession of Faith by Ministers of the Church of Scotland and others:

Be it therefore enacted, &c.:

1. *Allocation of Church property between the Free Church and the United Free Church by a Commission.*—

(1) The Commission established under this Act shall allocate between the Free Church and the United Free Church the property in question as defined by this Act in such manner as appears to the Commission fair and equitable, having regard to all the circumstances of the case, but subject to the provisions of this Act.

(2) The Commission in making their allocation of property under this Act, shall allocate congregational property to the Free Church in any case where they consider that out of those who in the opinion of the Commission were members or adherents of the congregation on the thirtieth day of October, nineteen hundred, and are at the commencement of this Act both resident in the district, and members or adherents of the Free Church or United Free Church congregation, at least one-third are members or adherents of the Free Church congregation; with power, however, to make special arrangements where several church buildings are situated in the same neighbourhood, and in any other cases which appear to them to require exceptional treatment; and

(3) The Commission in making their allocation of property under this Act shall, having regard to congregational contributions and other income of the Free Church, make adequate provision for the education of the students for the ministry of the Free Church, for the support, subject to payment of the usual annual contributions (if any), of aged and infirm ministers and of widows and orphans of ministers of that Church, for the support of the ministers of Free Church congregations to which congregational property has been allocated under this Act, for itinerant preachers, and for the general purposes of administration and management of that Church. The funds and property out of which provision may be made for each of the above-mentioned objects shall be those set out in the second column of the First Schedule to this Act, opposite the description of the object in the first column of that schedule.

2. *Orders for carrying allocation into effect.*—(1) The Commission may make such orders as they may consider necessary for carrying into effect any allocation under this Act (including the modification of the Acts relating to the Widows and Orphans Fund), and may also, before that allocation is made, make interim orders having temporary effect as respects the property in question as defined by this Act. Any such orders shall have effect as if enacted in this Act, may be recorded in the Register of Sasines or other appropriate register, and shall not be chargeable with stamp duty.

(2) Subject to the provisions of this Act, the Commission, if they think fit, may order that any property (other than congregational property) allocated to either Church under this Act shall be burdened with such bond, or charge, in favour of

* This Act, although not relating to England and Wales, is set out at length on account of its exceptional interest.

the other Church or in favour of third parties who may advance money for the purposes of such bond or charge, as they direct. Any congregational property allocated to either Church shall be subject to any bonds, burdens, or debts thereon or in respect thereof, and the Commissioners may charge upon the particular congregational property concerned any moneys expended since thirty-first October, nineteen hundred, on improvements of that property or in paying off debt incurred in respect of that property.

(3) The Free Church and the United Free Church respectively shall hold any property allocated to them under this Act for the purposes of and in accordance with their respective constitutions, and, in allocating to the United Free Church any property which is, at the commencement of this Act, appropriated to any special Church purposes, the Commission shall, so far as possible, provide by their orders that the property shall remain, in the hands of the United Free Church, appropriated to the same or similar purposes.

(4) Any proceedings in any court between the Free Church and the United Free Church as to any property in question as defined by this Act, and all diligence and execution in any such proceedings, shall, by virtue of this Act, be permanently sisted or stayed, and no such proceedings shall be instituted as respects any such property before that property has been allocated by the Commission under this Act.

(5) No court shall have power to review or interfere in any way with the orders or other proceedings of the Commission, but such orders or proceedings shall not prejudice or affect any rights, duties, and liabilities as regards any property in question as defined by this Act other than those of the Free Church and the United Free Church.

3. *Establishment of Commission.*—(1) The Commission under this Act shall consist of five Commissioners to be appointed by His Majesty.

(2) If a vacancy occurs in the office of any Commissioner so appointed by reason of death, resignation, incapacity, or otherwise, His Majesty may appoint some other person to fill the vacancy, and so from time to time as occasion requires.

(3) The Commission may appoint and employ such Assistant Commissioners, officers, and persons, as they think necessary, and may remove any officer or person so appointed or employed.

(4) The salaries and remuneration of any persons so appointed or employed, and all expenses of the Commission incurred in the execution of this Act, shall be paid out of the property in question as defined by this Act, and the Commission may make any orders necessary for the purpose.

(5) The quorum of the Commission shall be three, and in case of an equal division of votes at any meeting of the Commission the person who is Chairman at that meeting shall have a second or casting vote. The procedure, place of meeting, and authentication of documents of the Commission, shall be regulated in such manner as the Commission determine.

(6) The Commission and any Assistant Commissioner appointed under this Act may examine witnesses on oath, and, for the enforcing the attendance of witnesses, after a tender of their expenses, the examination of witnesses, and the production of books and documents, shall have all such powers, rights, and privileges as are vested in any of His Majesty's courts of law.

(7) The powers of the Commission shall be in force until the first day of March nineteen hundred and six, but His Majesty may by Order in Council continue their powers for such further period as His Majesty thinks fit.

4. *Provision defining the property, &c., to be allocated.*—

(1) All property which, on the thirtieth day of October nineteen hundred, was vested in or held by or on trust for, or was payable to or for behoof of, the Free Church, or was held for the purposes of any school, scheme, mission, or other special object of the said church, or, where any such property has been disposed of since that date, the proceeds of sale thereof or any investments representing the same, including any revenue or accumulations of any such property, proceeds of sale, or investments accruing since the said date, shall notwithstanding anything that has taken place since that date, be deemed to be property in question within the meaning of this Act, subject in any case to any disbursements properly made

since the said date (which are hereby declared to stand good), and any person held accountable for any such property, in accordance with an order of the Commission, shall account for the same accordingly.

(2) Such rights, duties, and liabilities (including the right of appointing representatives on bodies of trustees or other boards) as belonged or attached to the Free Church on the thirtieth day of October nineteen hundred shall be subject to allocation by the Commission in the same manner as the property in question within the meaning of this Act.

(3) Any legacies, bequests, or conveyances of property under testamentary writings made before the thirtieth day of October, nineteen hundred, by testators who died thereafter and before the commencement of this Act, in dispute between the Free Church and the United Free Church, shall be allocated to or apportioned between the Churches in such manner as the Commission deem fair and equitable, having regard to what seems to them to have been the intention of the testator, and the capacity of the Churches respectively to carry out any special trusts annexed to the legacy; and all proceedings in any court as regards any disputes between the two Churches in respect of such legacies shall be permanently sisted or stayed.

(4) In this section, the expression "property" includes property heritable and movable and all interests therein; and the expression "rights" includes powers, privileges, and immunities.

5. *Formula of subscription to the Confession of Faith in the Church of Scotland.*—The formula of subscription to the Confession of Faith required from ministers and preachers of the Church of Scotland as by law established and from persons appointed to Chairs of Theology in the Scottish Universities and the Principal of Saint Mary's College, Saint Andrew's, respectively, shall be such as may be prescribed by Act of the General Assembly of the said Church with the consent of the majority of the presbyteries thereof. The formula at present in use in any case shall be required until a formula in lieu thereof is so prescribed.

6. *Definitions, repeal, and short title.*—(1) In this Act the expression "the Free Church" means the association or body of Christians known and designated as the Free Church of Scotland; and the expression "the United Free Church" means the association or body of Christians known and designated as the United Free Church of Scotland, and, unless the context otherwise requires, those expressions respectively include any court, congregation, or college of either Church, or any member thereof as such, or any person acting on behalf of such Church, congregation, or college.

(2) The Acts mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, both as originally enacted, and as incorporated, ratified, confirmed, or approved by any other Act.

(3) This Act may be cited as the Churches (Scotland) Act, 1905.

SCHEDULES.

FIRST SCHEDULE.

[Section 1.]

Object.	Funds and Property.
1. Education of students of the Free Church.	1. College endowments and bursary funds; college buildings.
2. Support of aged and infirm ministers of the Free Church.	2. Aged and Infirm Ministers' Fund.
3. Support of widows and orphans of ministers of the Free Church.	3. Widows and Orphans Fund.
4. (a) Support of ministers of Free Church congregations to which congregational property has been allocated under this Act and of itinerant preachers.	4. Sustentation Fund; Home Missions Fund; Highlands and Islands Fund; any moneys which the Commission regard as applicable for these or similar purposes.

Object.	Funds and Property.
(b) General purposes of administration and management of the Free Church.	So far as those funds or moneys are not sufficient, any further amount required for this object shall be provided by such bond or charge as the Commission may direct to be imposed on any land or buildings in Scotland allocated to the United Free Church other than congregational property, colleges, schools, and any land or buildings bequeathed or given for special purposes.

SECOND SCHEDULE.

[Section 6.]

ENACTMENTS REPEALED.

Act.	Title.	Extent of Repeal.
An Act of the Parliament of Scotland passed in the year one thousand six hundred and ninety-three.	Act for settling the quiet and peace of the Church.	The words "the same to be the confession of his faith, and that he owns the doctrine therein contained to be the true doctrine which he will constantly adhere to, as"
An Act of the Parliament of Scotland passed in the year one thousand seven hundred and seven.	Act for securing the Protestant religion and Presbyterian Church government.	The words "do and shall acknowledge and profess and," and the words "as the confession of their faith;"

CHAPTER 13.

[Aliens Act, 1905.]

An Act to amend the Law with regard to Aliens.

Be it enacted, &c.

Regulation of Alien Immigration.

1. *Power to prevent the landing of undesirable immigrants.*—(1) An immigrant shall not be landed in the United Kingdom from an immigrant ship except at a port at which there is an immigration officer appointed under this Act, and shall not be landed at any such port without the leave of that officer given after an inspection of the immigrants made by him on the ship, or elsewhere if the immigrants are conditionally disembarked for the purpose, in company with a medical inspector, such inspection to be made as soon as practicable, and the immigration officer shall withhold leave in the case of any immigrant who appears to him to be an undesirable immigrant within the meaning of this section.

(2) Where leave to land is withheld in the case of any immigrant, the master, owner, or agent of the ship, or the immigrant, may appeal to the immigration board of the port, and that board shall, if they are satisfied that leave to land should not be withheld under this Act, give leave to land, and leave so given shall operate as the leave of the immigration officer.

(3) For the purposes of this section an immigrant shall be considered an undesirable immigrant—

- if he cannot show that he has in his possession or is in a position to obtain the means of decently supporting himself and his dependents (if any); or
- if he is a lunatic or an idiot, or owing to

any disease or infirmity appears likely to become a charge upon the rates or otherwise a detriment to the public; or

(e) if he has been sentenced in a foreign country with which there is an extradition treaty for a crime, not being an offence of a political character, which is, as respects that country, an extradition crime within the meaning of the Extradition Act, 1870 [33 & 34 Vict. c. 52]; or

(d) if an expulsion order under this Act has been made in his case;

but, in the case of an immigrant who proves that he is seeking admission to this country solely to avoid prosecution or punishment on religious or political grounds or for an offence of a political character, or persecution, involving danger of imprisonment or danger to life or limb, on account of religious belief, leave to land shall not be refused on the ground merely of want of means, or the probability of his becoming a charge on the rates, nor shall leave to land be withheld in the case of an immigrant who shows to the satisfaction of the immigration officer or board concerned with the case that, having taken his ticket in the United Kingdom and embarked direct therefrom for some other country immediately after a period of residence in the United Kingdom of not less than six months, he has been refused admission in that country and returned direct therefrom to a port in the United Kingdom, and leave to land shall not be refused merely on the ground of want of means to any immigrant who satisfies the immigration officer or board concerned with the case that he was born in the United Kingdom, his father being a British subject.

(4) The Secretary of State may, subject to such conditions as he thinks fit to impose, by order exempt any immigrant ships from the provisions of this section if he is satisfied that a proper system is being maintained for preventing the embarkation of undesirable immigrants on those ships, or if security is given to his satisfaction that undesirable immigrants will not be landed in the United Kingdom from those ships except for the purpose of transit.

Any such order of exemption may be withdrawn at any time at the discretion of the Secretary of State.

(5) Any immigrant who lands, and any master of a ship who allows an immigrant to be landed, in contravention of this section shall be guilty of an offence under this Act, but an immigrant conditionally disembarked shall not be deemed to have landed so long as the conditions are complied with.

2. *Immigration board and rules.*—(1) The immigration board for a port shall consist of three persons summoned in accordance with rules made by the Secretary of State under this Act out of a list approved by him for the port comprising fit persons having magisterial, business, or administrative experience.

(2) A Secretary of State may make rules generally with respect to immigration boards and their officers, and with respect to appeals to those boards, and with respect to the conditional disembarkation of immigrants for the purpose of inspection, appeals, or otherwise, and may by those rules amongst other things provide for the summoning and procedure of the board, and for the place of meeting of the board, and for the security to be given by the master of the ship in the case of immigrants conditionally disembarked. Rules made under this section shall provide for notice being given to masters of immigrant ships and immigrants informing them of their right of appeal, and also, where leave to land is withheld in the case of any immigrant by the immigration officer, for notice being given to the immigrant and the master of the immigrant ship of the grounds on which leave has been withheld.

Expulsion of Undesirable Aliens.

3. *Power of Secretary of State to make an expulsion order.*—(1) The Secretary of State may, if he thinks fit, make an order (in this Act referred to as an expulsion order) requiring an alien to leave the United Kingdom within a time fixed by the order, and thereafter to remain out of the United Kingdom—

- if it is certified to him by any court (including a court of summary jurisdiction) that the alien has been convicted by that

court of any felony, or misdemeanour, or other offence for which the court has power to impose imprisonment without the option of a fine, or of an offence under paragraph twenty-two or twenty-three of section three hundred and eighty-one of the Burgh Police (Scotland) Act, 1892 [55 & 56 Vict. c. 55], or of an offence as a prostitute under section seventy-two of the Towns Improvement (Ireland) Act, 1854 [17 & 18 Vict. c. 103], or paragraph eleven of section fifty-four of the Metropolitan Police Act, 1839 [2 & 3 Vict. c. 47], and that the court recommend that an expulsion order should be made in his case, either in addition to or in lieu of his sentence; and

(b) if it is certified to him by a court of summary jurisdiction after proceedings taken for the purpose within twelve months after the alien has last entered the United Kingdom, in accordance with rules of court made under section twenty-nine of the Summary Jurisdiction Act, 1879 [42 & 43 Vict. c. 49], that the alien—

(i.) has within three months from the time at which proceedings for the certificate are commenced been in receipt of any such parochial relief as disqualifies a person for the parliamentary franchise, or been found wandering without ostensible means of subsistence, or been living under insanitary conditions due to overcrowding; or

(ii.) has entered the United Kingdom after the passing of this Act, and has been sentenced in a foreign country with which there is an extradition treaty for a crime not being an offence of a political character which is as respects that country an extradition crime within the meaning of the Extradition Act, 1870.

(2) If any alien in whose case an expulsion order has been made is at any time found within the United Kingdom in contravention of the order, he shall be guilty of an offence under this Act.

4. *Expenses of return of alien, &c.*—(1) Where an expulsion order is made in the case of any alien, the Secretary of State may, if he thinks fit, pay the whole or any part of the expenses of or incidental to the departure from the United Kingdom and maintenance until departure of the alien and his dependents (if any).

(2) If an expulsion order is made in the case of any alien (not being an alien who last entered the United Kingdom before the commencement of this Act, or an immigrant in whose case leave to land has been given under this Act) on a certificate given within six months after he has last entered the United Kingdom, the master of the ship in which he has been brought to the United Kingdom and also the master of any ship belonging to the same owner shall be liable to pay to the Secretary of State as a debt due to the Crown any sums paid by the Secretary of State under this section in connection with the alien, and shall, if required by the Secretary of State, receive the alien and his dependents (if any) on board his ship, and afford them free of charge a passage to the port of embarkation and proper accommodation and maintenance during the passage.

(3) If the master of a ship fails to comply with the provisions of this section as to giving a passage to an alien or his dependents, he shall be guilty of an offence under this Act.

General.

5. *Returns as to aliens.*—(1) The master of any ship landing or embarking passengers at any port in the United Kingdom shall furnish to such person and in such manner as the Secretary of State directs a return giving such particulars with respect to any such passengers who are aliens as may be required for the time being by order of the Secretary of State, and any such passenger shall furnish the master of the ship with any information required by him for the purpose of the return.

(2) If the master of a ship fails to make the return required by this section, or makes a false return, he shall be guilty of an offence under this Act, and if any alien refuses to give information required by the master of the ship for the purpose of the return under this section, or gives any false information for the purpose, he shall be liable on summary

conviction to imprisonment for a term not exceeding three months with hard labour.

(3) The Secretary of State may by order exempt from the provisions of this section any special class of passengers or voyages, or any special ships or ports, but any such order may be withdrawn at any time at his discretion.

6. *Appointment of officers, and expenses.*—(1) The Secretary of State shall appoint, at such ports in the United Kingdom as he thinks necessary for the time being, immigration officers and medical inspectors, and may appoint or employ such other officers or persons as may be required for the purposes of immigration boards, or for the purpose of the returns to be given under this Act, or otherwise for carrying this Act into effect, and the salary and remuneration of any officers, inspectors, or persons so appointed or employed, and any expenses otherwise incurred in carrying this Act into effect (including such payment as may be sanctioned by the Treasury for the attendance of any person as a member of an immigration board to hear appeals), shall, up to an amount approved by the Treasury, be paid out of moneys provided by Parliament.

(2) The Secretary of State may arrange with the Commissioners of Customs or any other Government department or any port sanitary authority for the appointment or employment of officers of Customs or officers of that department or authority as officers under this Act.

(3) The Secretary of State shall make known, in such manner as he thinks best suited for the purpose, the ports at which immigration officers are for the time being appointed under this Act.

7. *Supplemental provisions.*—(1) Any person guilty of an offence under this Act shall, if the offence is committed by him as the master of a ship, be liable, on summary conviction, to a fine not exceeding one hundred pounds, and, if the offence is committed by him as an immigrant or alien, be deemed a rogue and vagabond within the meaning of the Vagrancy Act, 1824 [5 Geo. 4, c. 83], and be liable to be dealt with accordingly as if the offence were an offence under section four of that Act.

(2) Sections six hundred and eighty-four, six hundred and eighty-five, and six hundred and eighty-six of the Merchant Shipping Act, 1894, [57 & 58 Vict. c. 60] (which relate to the jurisdiction of courts and justices), shall apply with respect to jurisdiction under this Act as they apply with respect to jurisdiction under that Act, and section six hundred and ninety-three of the Merchant Shipping Act, 1894 (which relates to the levying of sums ordered to be paid by distress on a ship), shall apply with respect to any fines or other sums of money to be paid under this Act by the master of a ship as it applies with respect to fines and other sums of money to be paid under that Act.

(3) Any immigrant who is conditionally disembarked, and any alien in whose case an expulsion order is made, while waiting the departure of his ship, and whilst being conveyed to the ship, and whilst on board the ship until the ship finally leaves the United Kingdom, and any alien in whose case a certificate has been given by a court, with a view to the making of an expulsion order under this Act, until the Secretary of State has decided upon his case, shall be liable to be kept in custody in such manner as the Secretary of State directs, and whilst in that custody shall be deemed to be in legal custody.

(4) If any immigrant, master of a ship, or other person, for the purposes of this Act, makes any false statement or false representation to an immigration officer, medical inspector, immigration board, or to the Secretary of State, he shall be liable on summary conviction to imprisonment for a term not exceeding three months with hard labour.

(5) If any question arises on any proceedings under this Act, or with reference to anything done or proposed to be done under this Act, whether any person is an alien or not, the onus of proving that that person is not an alien shall lie on that person.

(6) In carrying out the provisions of this Act, due regard shall be had to any treaty, convention, arrangement, or engagement with any foreign country.

8. *Definitions.*—(1) The expression "immigrant" in this Act means an alien steerage

passenger who is to be landed in the United Kingdom, but does not include—

(a) Any passenger who shows to the satisfaction of the immigration officer or board concerned with the case that he desires to land in the United Kingdom only for the purpose of proceeding within a reasonable time to some destination out of the United Kingdom; or

(b) Any passenger holding prepaid through tickets to some destination, if the master or owner of the ship by which they are brought to the United Kingdom, or by which they are to be taken away from the United Kingdom, gives security to the satisfaction of the Secretary of State that, except for the purposes of transit or under other circumstances approved by the Secretary of State, they will not remain in the United Kingdom, or, having been rejected in another country re-enter the United Kingdom, and that they will be properly maintained and controlled during their transit.

(2) The expression "immigrant ship" in this Act means a ship which brings to the United Kingdom more than twenty alien steerage passengers, who are to be landed in the United Kingdom, whether at the same or different ports, or such number of those passengers as may be for the time being fixed by order of the Secretary of State, either generally or as regards any special ships or ports.

(3) The expression "passenger" in this Act includes any person carried on the ship other than the master and persons employed in the working, or service, of the ship, and the expression "steerage passenger" in this Act includes all passengers except such persons as may be declared by the Secretary of State to be cabin passengers by order made either generally or as regards any special ships or ports.

(4) If any question arises under this Act on an appeal to an immigration board whether any ship is an immigrant ship within the meaning of this Act, or whether any person is an immigrant, a passenger, or a steerage passenger, within the meaning of this Act, or whether any offence is an offence of a political character, or whether a crime is an extradition crime, that question shall be referred to the Secretary of State in accordance with rules made under this Act, and the board shall act in accordance with his decision.

(5) The Secretary of State may withdraw or vary any order made by him under this section.

9. Application of Act to Scotland and Ireland.]—

(1) In the application of this Act to Scotland and Ireland the words "be liable on summary conviction to imprisonment for a term not exceeding three months with hard labour" shall be substituted for the words "be deemed a rogue and vagabond within the meaning of the Vagrancy Act, 1824, and be liable to be dealt with accordingly as if the offence were an offence under section four of that Act."

(2) Section thirty-three of the Summary Procedure (Scotland) Act, 1864 [27 & 28 Vict. c. 53], shall be substituted as respects Scotland for section twenty-nine of the Summary Jurisdiction Act, 1879; and the Lord Chancellor of Ireland may, as respects Ireland, make rules for the purposes of this Act for which rules may be made under section twenty-nine of the Summary Jurisdiction Act, 1879; and all rules so made shall be laid, as soon as may be, before both Houses of Parliament.

10. *Short title and commencement, and repeal.*—(1) This Act may be cited as the Aliens Act, 1905, and shall come into operation on the first day of January nineteen hundred and six.

(2) The Registration of Aliens Act, 1836 [6 & 7 Will. 4, c. 11], is hereby repealed.

CHAPTER 14.

[Medical Act (1886) Amendment Act, 1905.]

An Act to amend the Medical Act, 1886.

[11th August 1905.]

Be it enacted, &c.:

1. *Amendment of 49 & 50 Vict. c. 48, s. 37.* For the purposes of the Medical Act, 1886, where any part of a British possession is under a central and

also under a local legislature, His Majesty may, if he thinks fit, by Order in Council, declare that the part which is under the local legislature shall be deemed a separate British possession.

2. *Short title.*] This Act may be cited as the Medical Act (1886) Amendment Act, 1905.

CHAPTER 15.

[Trade-Marks Act, 1905.]

An Act to consolidate and amend the Law relating to Trade-marks.

[11th August 1905.]

Be it enacted, &c.:

1. *Short title.*] This Act may be cited as the Trade-Marks Act, 1905.

2. *Commencement of Act.*] This Act shall, save as otherwise expressly provided, come into operation on the first day of April one thousand nine hundred and six.

PART I.

Definitions.

3. *Definitions.*] In and for the purposes of this Act (unless the context otherwise requires):—

A "mark" shall include a device, brand, heading, label, ticket, name, signature, word, letter, numeral, or any combination thereof:

A "trade-mark" shall mean a mark used or proposed to be used upon or in connection with goods for the purpose of indicating that they are the goods of the proprietor of such trade-mark by virtue of manufacture, selection, certification, dealing with, or offering for sale:

A "registrable trade-mark" shall mean a trade-mark which is capable of registration under the provisions of this Act:

"The register" shall mean the register of trade-marks kept under the provisions of this Act:

A "registered trade-mark" shall mean a trade-mark which is actually upon the register:

"Prescribed" shall mean, in relation to proceedings before the Court, prescribed by rules of court, and in other cases, prescribed by this Act or the Rules thereunder:

"The Court" shall mean (subject to the provisions for Scotland, Ireland, and the Isle of Man) His Majesty's High Court of Justice in England.

Register of Trade-Marks.

4. *Register of trade-marks.*] There shall be kept at the Patent Office for the purposes of this Act a book called the Register of Trade-Marks, wherein shall be entered all registered trade-marks with the names and addresses of their proprietors, notifications of assignments and transmissions, disclaimers, conditions, limitations, and such other matters relating to such trade-marks as may from time to time be prescribed. The register shall be kept under the control and management of the Comptroller-General of Patents, Designs, and Trade-Marks, who is in this Act referred to as the Registrar.

5. *Trust not to be entered on register.*] There shall not be entered in the register any notice of any trust expressed, implied, or constructive, nor shall any such notice be receivable by the Registrar.

6. *Incorporation of existing register.*] The register of trade-marks existing at the date of the commencement of this Act, and all registers of trade-marks kept under previous Acts, which are deemed part of the same book as such register, shall be incorporated with and form part of the register. Subject to the provisions of sections thirty-six and forty-one of this Act the validity of the original entry of any trade-mark upon the registers so incorporated shall be determined in accordance with the statutes in force at the date of such entry, and such trade-mark shall retain its original date, but for all other purposes it shall be deemed to be a trade-mark registered under this Act.

7. *Inspection of and extract from register.*] The register kept under this Act shall at all convenient times be open to the inspection of the public, subject to such regulations as may be prescribed; and certified copies, sealed with the seal of the

Patent Office, of any entry in such register shall be given to any person requiring the same on payment of the prescribed fee.

Registrable Trade-Marks.

8. *Trade-mark must be for particular goods.*] A trade-mark must be registered in respect of particular goods or classes of goods.

9. *Registrable trade-marks.*] A registrable trade-mark must contain or consist of at least one of the following essential particulars:—

- (1) The name of a company, individual, or firm represented in a special or particular manner;
- (2) The signature of the applicant for registration or some predecessor in his business;
- (3) An invented word or invented words;
- (4) A word or words having no direct reference to the character or quality of the goods, and not being according to its ordinary signification a geographical name or a surname;
- (5) Any other distinctive mark, but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (1), (2), (3), and (4), shall not, except by order of the Board of Trade or the Court, be deemed a distinctive mark:

Provided always that any special or distinctive word or words, letter, numeral, or combination of letters or numerals used as a trade-mark by the applicant or his predecessors in business before the thirtieth day of August one thousand eight hundred and seventy-five, which has continued to be used (either in its original form or with additions or alterations not substantially affecting the identity of the same) down to the date of the application for registration shall be registrable as a trade-mark under this Act.

For the purposes of this section "distinctive" shall mean adapted to distinguish the goods of the proprietor of the trade-mark from those of other persons.

In determining whether a trade-mark is so adapted, the tribunal may, in the case of a trade-mark in actual use, take into consideration the extent to which such user has rendered such trade-mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered.

10. *Coloured trade-marks.*] A trade-mark may be limited in whole or in part to one or more specified colours, and in such case the fact that it is so limited shall be taken into consideration by any tribunal having to decide on the distinctive character of such trade-mark. If and so far as a trade-mark is registered without limitation of colour it shall be deemed to be registered for all colours.

11. *Restriction on registration.*] It shall not be lawful to register as a trade-mark or part of a trade-mark any matter, the use of which would by reason of its being calculated to deceive or otherwise be disentitled to protection in a court of justice, or would be contrary to law or morality, or any scandalous design.

Registration of Trade-Marks.

12. *Application for registration.*]—(1) Any person claiming to be the proprietor of a trade-mark who is desirous of registering the same must apply in writing to the Registrar in the prescribed manner.

(2) Subject to the provisions of this Act the Registrar may refuse such application, or may accept it absolutely or subject to conditions, amendments, or modifications.

(3) In case of any such refusal or conditional acceptance the Registrar shall, if required by the applicant, state in writing the grounds of his decision and the materials used by him in arriving at the same, and such decision shall be subject to appeal to the Board of Trade or to the Court at the option of the applicant.

(4) An appeal under this section shall be made in the prescribed manner, and on such appeal the Board of Trade or the Court, as the case may be, shall, if required, hear the applicant and the Registrar, and shall make an order determining whether, and subject to what conditions, amendments, or modifications, if any, the application is to be accepted.

(5) Appeals under this section shall be heard on the materials so stated by the Registrar to have been used by him in arriving at his decision, and no further grounds of objection to the acceptance of the application shall be allowed to be taken by the Registrar, other than those stated by him, except by leave of the tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of costs on giving notice as prescribed.

(6) The Registrar or the Board of Trade or the Court, as the case may be, may at any time, whether before or after acceptance, correct any error in or in connection with the application, or may permit the applicant to amend his application upon such terms as they may think fit.

13. *Advertisement of application.*] When an application for registration of a trade-mark has been accepted, whether absolutely or subject to conditions, the Registrar shall, as soon as may be after such acceptance, cause the application as accepted to be advertised in the prescribed manner. Such advertisement shall set forth all conditions subject to which the application has been accepted.

14. *Opposition to registration.*]—(1) Any person may, within the prescribed time from the date of the advertisement of an application for the registration of a trade-mark, give notice to the Registrar of opposition to such registration.

(2) Such notice shall be given in writing in the prescribed manner, and shall include a statement of the grounds of opposition.

(3) The Registrar shall send a copy of such notice to the applicant, and within the prescribed time after the receipt of such notice, the applicant shall send to the Registrar, in the prescribed manner, a counter-statement of the grounds on which he relies for his application, and, if he does not do so, he shall be deemed to have abandoned his application.

(4) If the applicant sends such counter-statement, the Registrar shall furnish a copy thereof to the persons giving notice of opposition, and shall, after hearing the parties, if so required, and considering the evidence, decide whether, and subject to what conditions, registration is to be permitted.

(5) The decision of the Registrar shall be subject to appeal to the Court or, with the consent of the parties, to the Board of Trade.

(6) An appeal under this section shall be made in the prescribed manner, and on such appeal the Board of Trade or the Court, as the case may be, shall, if required, hear the parties and the Registrar, and shall make an order determining whether, and subject to what conditions, if any, registration is to be permitted.

(7) On the hearing of any such appeal any party may either in the manner prescribed or by special leave of the tribunal bring forward further material for the consideration of the tribunal.

(8) In proceedings under this section no further grounds of objection to the registration of a trade-mark shall be allowed to be taken by the opponent or the Registrar other than those stated by the opponent as hereinabove provided except by leave of the tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of the costs of the opponent on giving notice as prescribed.

(9) In any appeal under this section, the tribunal may, after hearing the Registrar, permit the trade-mark proposed to be registered to be modified in any manner not substantially affecting the identity of such trade-mark, but in such case the trade-mark as so modified shall be advertised in the prescribed manner before being registered.

(10) The Registrar, or in the case of an appeal to the Board of Trade the Board of Trade, shall have power in proceedings under this section to award to any party such costs as they may consider reasonable, and to direct how and by what parties they are to be paid.

(11) If a party giving notice of opposition or of appeal neither resides nor carries on business in the United Kingdom, the tribunal may require such party to give security for costs of the proceedings before it relative to such opposition or appeal, and in default of such security being duly given may treat the opposition or appeal as abandoned.

15. Disclaimers.] If a trade-mark contains parts not separately registered by the proprietor as trade-marks, or if it contains matter common to the trade or otherwise of a non-distinctive character, the Registrar or the Board of Trade or the Court, in deciding whether such trade-mark shall be entered or shall remain upon the register, may require, as a condition of its being upon the register, that the proprietor shall disclaim any right to the exclusive use of any part or parts of such trade-mark, or of all or any portion of such matter, to the exclusive use of which they hold him not to be entitled, or that he shall make such other disclaimer as they may consider needful for the purpose of defining his rights under such registration: Provided always that no disclaimer upon the register shall affect any rights of the proprietor of a trade-mark except such as arise out of the registration of the trade-mark in respect of which the disclaimer is made.

16. Date of registration.] When an application for registration of a trade-mark has been accepted and has not been opposed, and the time for notice of opposition has expired, or having been opposed the opposition has been decided in favour of the applicant, the Registrar shall, unless the Board of Trade otherwise direct, register the said trade-mark, and the trade-mark, when registered, shall be registered as of the date of the application for registration, and such date shall be deemed for the purposes of this Act to be the date of registration.

17. Certificate of registration.] On the registration of a trade-mark the Registrar shall issue to the applicant a certificate in the prescribed form of the registration of such trade-mark under the hand of the Registrar, and sealed with the seal of the Patent Office.

18. Non-completion of registration.] Where registration of a trade-mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar may, after giving notice of the non-completion to the applicant in writing in the prescribed manner, treat the application as abandoned unless it is completed within the time specified in that behalf in such notice.

Identical Trade-Marks.

19. Identical marks.] Except by order of the Court or in the case of trade-marks in use before the thirteenth day of August one thousand eight hundred and seventy-five, no trade-mark shall be registered in respect of any goods or description of goods which is identical with one belonging to a different proprietor which is already on the register with respect to such goods or description of goods, or so nearly resembling such a trade-mark as to be calculated to deceive.

20. Rival claims to identical marks.] Where each of several persons claims to be proprietor of the same trade-mark, or of nearly identical marks in respect of the same goods or description of goods, and to be registered as such proprietor, the registrar may refuse to register any of them until their rights have been determined by the court, or have been settled by agreement in a manner approved by him or (on appeal) by the Board of Trade.

21. Concurrent user.] In case of honest concurrent user or of other special circumstances which, in the opinion of the Court, make it proper so to do, the Court may permit the registration of the same trade-mark, or of nearly identical trade-marks, for the same goods or description of goods by more than one proprietor subject to such conditions and limitations, if any, as to mode or place of user or otherwise, as it may think it right to impose.

Assignment.

22. Assignment and transmission of trade-marks.] A trade-mark when registered shall be assigned and transmitted only in connection with the goodwill of the business concerned in the goods for which it has been registered and shall be determinable with that goodwill. But nothing in this section contained shall be deemed to affect the right of the proprietor of a registered trade-mark to assign the right to use the same in any British possession or protectorate or foreign country in connection with any goods for which it is registered together with the goodwill of the business therein in such goods.

23. Apportionment of marks on dissolution of partnership.] In any case where from any cause, whether by reason of dissolution of partnership or otherwise, a person ceases to carry on business, and the goodwill of such person does not pass to one successor but is divided, the Registrar may (subject to the provisions of this Act as to associated trade-marks), on the application of the parties interested, permit an apportionment of the registered trade-marks of the person among the persons in fact continuing the business, subject to such conditions and modifications, if any, as he may think necessary in the public interest. Any decision of the Registrar under this section shall be subject to appeal to the Board of Trade.

Associated Trade-Marks.

24. Associated trade-marks.] If application be made for the registration of a trade-mark so closely resembling a trade-mark of the applicant already on the register for the same goods or description of goods as to be calculated to deceive or cause confusion if used by a person other than the applicant, the tribunal hearing the application may require as a condition of registration that such trade-marks shall be entered on the register as associated trade-marks.

25. Combined trade-marks.] If the proprietor of a trade-mark claims to be entitled to the exclusive use of any portion of such trade-mark separately he may apply to register the same as separate trade-marks. Each such separate trade-mark must satisfy all the conditions and shall have all the incidents of an independent trade-mark, except that when registered it and the trade-mark of which it forms a part shall be deemed to be associated trade-marks and shall be entered on the register as such, but the user of the whole trade-mark shall for the purposes of this Act be deemed to be also a user of such registered trade-marks belonging to the same proprietor as it contains.

26. Series of trade-marks.] When a person claiming to be the proprietor of several trade-marks for the same description of goods which, while resembling each other in the material particulars thereof, yet differ in respect of—

- (a) statements of the goods for which they are respectively used or proposed to be used; or
- (b) statements of number, price, quality, or names of places; or
- (c) other matter of a non-distinctive character which does not substantially affect the identity of the trade-mark; or
- (d) colour;

seeks to register such trade-marks, they may be registered as a series in one registration. All the trade-marks in a series of trade-marks so registered shall be deemed to be, and shall be registered as, associated trade-marks.

27. Assignment and user of associated trade-marks.] Associated trade-marks shall be assignable or transmissible only as a whole and not separately, but they shall for all other purposes be deemed to have been registered as separate trade-marks. Provided that where under the provisions of this Act user of a registered trade-mark is required to be proved for any purpose, the tribunal may if and so far as it shall think right accept user of an associated registered trade-mark, or of the trade-mark with additions or alterations not substantially affecting its identity, as an equivalent for such user.

Renewal of Registration.

28. Duration of registration.] The registration of a trade-mark shall be for a period of fourteen years, but may be renewed from time to time in accordance with the provisions of this Act.

29. Renewal of registration.] The Registrar shall, on application made by the registered proprietor of a trade-mark in the prescribed manner and within the prescribed period, renew the registration of such trade-mark for a period of fourteen years from the expiration of the original registration or of the last renewal of registration, as the case may be, which date is herein termed "the expiration of the last registration."

30. Procedure on expiry of period of registration.] At the prescribed time before the expiration of the last registration of a trade-mark, the Registrar shall send notice in the prescribed manner to the

registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained, and if at the expiration of the time prescribed in that behalf such conditions have not been duly complied with, the Registrar may remove such trade-mark from the register, subject to such conditions (if any) as to its restoration to the register as may be prescribed.

31. Status of unrenewed trade-mark.] Where a trade-mark has been removed from the register for non-payment of the fee for renewal, such trade-mark shall, nevertheless, for the purpose of any application for registration during one year next after the date of such removal, be deemed to be a trade-mark which is already registered, unless it is shown to the satisfaction of the Registrar that there had been no bona fide trade user of such trade-mark during the two years immediately preceding such removal.

Correction and Rectification of the Register.

32. Correction of register.] The Registrar may, on request made in the prescribed manner by the registered proprietor or by some person entitled by law to act in his name,—

- (1) Correct any error in the name or address of the registered proprietor of a trade-mark; or
- (2) Enter any change in the name or address of the person who is registered as proprietor of a trade-mark; or
- (3) Cancel the entry of a trade-mark on the register; or
- (4) Strike out any goods or classes of goods from those for which a trade-mark is registered; or
- (5) Enter a disclaimer or memorandum relating to a trade-mark which does not in any way extend the rights given by the existing registration of such trade-mark.

Any decision of the Registrar under this section shall be subject to appeal to the Board of Trade.

33. Registration of assignments, &c.] Subject to the provisions of this Act where a person becomes entitled to a registered trade-mark by assignment, transmission, or other operation of law, the Registrar shall, on request made in the prescribed manner, and on proof of title to his satisfaction, cause the name and address of such person to be entered on the register as proprietor of the trade-mark. Any decision of the Registrar under this section shall be subject to appeal to the court or, with the consent of the parties, to the Board of Trade.

34. Alteration of registered trade-mark.] The registered proprietor of any trade-mark may apply in the prescribed manner to the Registrar for leave to add to or alter such trade-mark in any manner not substantially affecting the identity of the same, and the Registrar may refuse such leave or may grant the same on such terms as he may think fit, but any such refusal or conditional permission shall be subject to appeal to the Board of Trade. If leave be granted, the trade-mark as altered shall be advertised in the prescribed manner.

35. Rectification of register.] Subject to the provisions of this Act—

- (1) The Court may on the application in the prescribed manner of any person aggrieved by the non-insertion in or omission from the register of any entry, or by any entry made in the register without sufficient cause, or by any entry wrongly remaining on the register, or by any error or defect in any entry in the register, make such order for making, expunging, or varying such entry, as it may think fit;
- (2) The Court may in any proceeding under this section decide any question that it may be necessary or expedient to decide in connection with the rectification of the register;
- (3) In case of fraud in the registration or transmission of a registered trade-mark, the Registrar may himself apply to the Court under the provisions of this section;
- (4) Any order of the Court rectifying the register shall direct that notice of the rectification shall be served upon the

Registrar in the prescribed manner who shall upon receipt of such notice rectify the register accordingly.

36. Trade-marks registered under previous Acts.] No trade-mark which is upon the register at the commencement of this Act and which under this Act is a registrable trade-mark shall be removed from the register on the ground that it was not registrable under the Acts in force at the date of its registration. But nothing in this section contained shall subject any person to any liability in respect of any act or thing done before the commencement of this Act to which he would not have been subject under the Acts then in force.

37. Non-user of trade-mark.] A registered trade-mark may, on the application to the court of any person aggrieved, be taken off the register in respect of any of the goods for which it is registered, on the ground that it was registered by the proprietor or a predecessor in title without any *bona fide* intention to use the same in connection with such goods, and there has in fact been no *bona fide* user of the same in connection therewith, or on the ground that there has been no *bona fide* user of such trade-mark in connection with such goods during the five years immediately preceding the application, unless in either case such non-user is shown to be due to special circumstances in the trade, and not to any intention not to use or to abandon such trade-mark in respect of such goods.

Effect of Registration.

38. Powers of registered proprietor.] Subject to the provisions of this Act—

(1) The person for the time being entered in the register as proprietor of a trade-mark shall, subject to any rights appearing from such register to be vested in any other person, have power to assign the same, and to give effectual receipts for any consideration for such assignment;

(2) Any equities in respect of a trade-mark may be enforced in like manner as in respect of any other personal property.

39. Rights of proprietor of trade-mark.] Subject to the provisions of section forty-one of this Act and to any limitations and conditions entered upon the register, the registration of a person as proprietor of a trade-mark shall, if valid, give to such person the exclusive right to the use of such trade-mark upon or in connection with the goods in respect of which it is registered: Provided always that where two or more persons are registered proprietors of the same (or substantially the same) trade-mark in respect of the same goods no rights of exclusive user of such trade-mark shall (except so far as their respective rights shall have been defined by the Court) be acquired by any one of such persons as against any other by the registration thereof, but each of such persons shall otherwise have the same rights as if he were the sole registered proprietor thereof.

40. Registration to be *prima facie* evidence of validity.] In all legal proceedings relating to a registered trade-mark (including applications under section thirty-five of this Act) the fact that a person is registered as proprietor of such trade-mark shall be *prima facie* evidence of the validity of the original registration of such trade-mark and of all subsequent assignments and transmissions of the same.

41. Registration to be conclusive after seven years.] In all legal proceedings relating to a registered trade-mark (including applications under section thirty-five of this Act) the original registration of such trade-mark shall after the expiration of seven years from the date of such original registration (or seven years from the passing of this Act, whichever shall last happen) be taken to be valid in all respects unless such original registration was obtained by fraud, or unless the trade-mark offends against the provisions of section eleven of this Act:

Provided that nothing in the Act shall entitle the proprietor of a registered trade-mark to interfere with or restrain the user by any person of a similar trade-mark upon or in connection with goods upon or in connection with which such person has, by himself or his predecessors in business, continuously used such trade-mark from a date anterior to the user of the first-mentioned

trade-mark by the proprietor thereof or his predecessors in business, or to object (on such user being proved) to such person being put upon the register for such similar trade-mark in respect of such goods under the provisions of section twenty-one of this Act.

42. Unregistered trade-mark.] No person shall be entitled to institute any proceeding to prevent or to recover damages for the infringement of an unregistered trade-mark unless such trade-mark was in use before the thirteenth of August one thousand eight hundred and seventy-five, and has been refused registration under this Act. The Registrar may, on request, grant a certificate that such registration has been refused.

43. Infringement.] In an action for the infringement of a trade-mark the court trying the question of infringement shall admit evidence of the usages of the trade in respect to the get-up of the goods for which the trade-mark is registered, and of any trade-marks or get-up legitimately used in connection with such goods by other persons.

44. User of name, address, or description of goods.] No registration under this Act shall interfere with any *bona fide* use by a person of his own name or place of business or that of any of his predecessors in business, or the use by any person of any *bona fide* description of the character or quality of his goods.

45. "Passing-off" action.] Nothing in this Act contained shall be deemed to affect rights of action against any person for passing off goods as those of another person or the remedies in respect thereof.

Legal Proceedings.

46. Certificate of validity.] In any legal proceeding in which the validity of the registration of a registered trade-mark comes into question and is decided in favour of the proprietor of such trade-mark, the court may certify the same, and if it so certifies then in any subsequent legal proceeding in which such validity comes into question the proprietor of the said trade-mark on obtaining a final order or judgment in his favour shall have his full costs, charges, and expenses as between solicitor and client, unless in such subsequent proceeding the Court certifies that he ought not to have the same.

47. Registrar to have notice of proceedings for rectification.] In any legal proceedings in which the relief sought includes alteration or rectification of the register, the Registrar shall have the right to appear and be heard, and shall appear if so directed by the Court. Unless otherwise directed by the Court, the Registrar in lieu of appearing and being heard may submit to the Court a statement in writing signed by him, giving particulars of the proceedings before him in relation to the matter in issue or of the grounds of any decision given by him affecting the same or of the practice of the office in like cases, or of such other matters relevant to the issue, and within his knowledge as such Registrar, as he shall think fit, and such statement shall be deemed to form part of the evidence in the proceeding.

Costs.

48. Costs of proceedings before the Court.] In all proceedings before the Court under this Act the costs of the Registrar shall be in the discretion of the Court, but the Registrar shall not be ordered to pay the costs of any other of the parties.

Evidence.

49. Mode of giving evidence.] In any proceeding under this Act before the Board of Trade or the Registrar, the evidence shall be given by statutory declaration in the absence of directions to the contrary, but, in any case in which it shall think it right so to do, the tribunal may (with the consent of the parties) take evidence *videlicet* in lieu of or in addition to evidence by declaration. Any such statutory declaration may in the case of appeal be used before the Court in lieu of evidence by affidavit, but if so used shall have all the incidents and consequences of evidence by affidavit.

In case any part of the evidence is taken *videlicet* before the Board of Trade or the Registrar shall in respect of requiring the attendance of witnesses and taking evidence on oath be in the same

position in all respects as an Official Referee of the Supreme Court.

50. Sealed copies to be evidence.] Printed or written copies or extracts of or from the register, purporting to be certified by the Registrar and sealed with the seal of the Patent Office, shall be admitted in evidence in all courts in His Majesty's dominions, and in all proceedings, without further proof or production of the originals.

51. Certificate of Registrar to be evidence.] A certificate purporting to be under the hand of the Registrar as to any entry, matter, or thing which he is authorised by this Act, or rules made thereunder, to make or do, shall be *prima facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or not done.

52. Certificate of Board of Trade to be evidence.]—(1) All documents purporting to be orders made by the Board of Trade and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or by any person authorised in that behalf by the President of the Board, shall be received in evidence, and shall be deemed to be such orders without further proof, unless the contrary is shown.

(2) A certificate, signed by the President of the Board of Trade, that any order made or act done is the order or act of the Board, shall be conclusive evidence of the fact so certified.

PART II.

Powers and Duties of Registrar of Trade-Marks.

53. Exercise of discretionary power by Registrar.] Where any discretionary or other power is given to the Registrar by this Act or rules made thereunder he shall not exercise that power adversely to the applicant for registration or the registered proprietor of the trade-mark in question without (if duly required so to do within the prescribed time) giving such applicant or registered proprietor an opportunity of being heard.

54. Appeal from Registrar.] Except where expressly given by the provisions of this Act or rules made thereunder there shall be no appeal from a decision of the Registrar otherwise than to the Board of Trade, but the court, in dealing with any question of the rectification of the register (including all applications under the provisions of section thirty-five of this Act), shall have power to review any decision of the Registrar relating to the entry in question or the correction sought to be made.

55. Recognition of agents.] Where by this Act any act has to be done by or to any person in connection with a trade-mark or proposed trade-mark or any procedure relating thereto, such act may under and in accordance with rules made under this Act or in particular cases by special leave of the Board of Trade be done by or to an agent of such party duly authorised in the prescribed manner.

56. Registrar may take directions of law officers.] The Registrar may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act, apply to His Majesty's Attorney-General or Solicitor-General for England for directions in the matter.

57. Annual reports of Comptroller.] The Comptroller General of Patents, Designs, and Trade-Marks shall in his yearly report on the execution by or under him of the Patents, Designs, and Trade-Marks Act, 1883 [46 & 47 Vict. c. 57], and Acts amending the same, include a report respecting the execution by or under him of this Act as though it formed a part of or was included in such Acts.

Powers and Duties of the Board of Trade.

58. Proceedings before Board of Trade.] All things required or authorised under this Act to be done by or before the Board of Trade may be done by or before the President or a secretary or an assistant secretary of the Board or any person authorised in that behalf by the President of the Board.

59. Appeals to Board of Trade.] Where under this Act an appeal is made to the Board of Trade, the Board of Trade may, if they think fit, refer any such appeal to the Court in lieu of hearing and

deciding it themselves, but, unless the Board so refer the appeal, it shall be heard and decided by the Board, and the decision of the Board shall be final.

60. Power of Board of Trade to make rules.]—(1) Subject to the provisions of this Act the Board of Trade may from time to time make such rules, prescribe such forms, and generally do such things as they think expedient—

- (a) For regulating the practice under this Act;
- (b) For classifying goods for the purposes of registration of trade-marks;
- (c) For making or requiring duplicates of trade-marks and other documents;
- (d) For securing and regulating the publishing and selling or distributing in such manner as the Board of Trade think fit, of copies of trade-marks and other documents;
- (e) Generally, for regulating the business of the office in relation to trade-marks and all things by this Act placed under the direction or control of the Registrar, or of the Board of Trade.

(2) Rules made under this section shall, whilst in force, be of the same effect as if they were contained in this Act.

(3) Before making any rules under this section the Board of Trade shall publish notice of their intention to make the rules and of the place where copies of the draft rules may be obtained in such manner as the Board consider most expedient, so as to enable persons affected to make representations to the Board before the rules are finally settled.

(4) Any rules made in pursuance of this section shall be forthwith advertised twice in the Trade-Marks Journal, and shall be laid before both Houses of Parliament, if Parliament be in session at the time of making thereof, or, if not, then as soon as practicable after the beginning of the then next session of Parliament.

(5) If either House of Parliament within the next forty days after any rules have been so laid before such House, resolve that such rules or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such rules or rule or to the making of any new rules or rule.

Fees.

61. Fees.] There shall be paid in respect of applications and registration and other matters under this Act, such fees as may be, with the sanction of the Treasury, prescribed by the Board of Trade.

Special Trade-Marks.

62. Standardization, &c., trade-marks.] Where any association or person undertakes the examination of any goods in respect of origin, material, mode of manufacture, quality, accuracy, or other characteristic, and certifies the result of such examination by mark used upon or in connection with such goods, the Board of Trade may, if they shall judge it to be to the public advantage, permit such association or person to register such mark as a trade-mark in respect of such goods, whether or not such association or person be a trading association or trader or possessed of a goodwill in connection with such examination and certifying. When so registered such trade-mark shall be deemed in all respects to be a registered trade-mark, and such association or person to be the proprietor thereof, save that such trade-mark shall be transmissible or assignable only by permission of the Board of Trade.

Sheffield Marks.

63. Sheffield Marks.] With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called the Cutlers' Company), and the marks or devices (in this Act called Sheffield marks) assigned or registered by the master, wardens, searchers, and assistants of that company, the following provisions shall have effect:—

(1) The Cutlers' Company shall continue to keep at Sheffield the register of trade-marks (in this Act called the Sheffield register) kept by them at the date of the commencement of this Act, and, save as otherwise provided by

this Act, such register shall for all purposes form part of the register:

- (2) The Cutlers' Company shall, on request made in the prescribed manner, enter in the Sheffield register, in respect of metal goods as defined in this section, all the trade-marks which shall have been assigned by the Cutlers' Company and actually used before the first day of January one thousand eight hundred and eighty-four, but which have not been entered in such register before the passing of this Act;
- (3) An application for registration of a trade-mark used on metal goods shall, if made after the commencement of this Act by a person carrying on business in Hallamshire, or within six miles thereof, be made to the Cutlers' Company;
- (4) Every application so made to the Cutlers' Company shall be notified to the Registrar in the prescribed manner, and, unless the Registrar within the prescribed time gives notice to the Cutlers' Company of an objection to the acceptance of the application, it shall be proceeded with by the Cutlers' Company in the prescribed manner;
- (5) If the Registrar gives notice of an objection as aforesaid, the application shall not be proceeded with by the Cutlers' Company, but any person aggrieved may in the prescribed manner appeal to the Court;
- (6) Upon the registration of a trade-mark in the Sheffield register the Cutlers' Company shall give notice thereof to the Registrar, who shall thereupon enter the mark in the register of trade-marks; and such registration shall bear date as of the day of application to the Cutlers' Company, and have the same effect as if the application had been made to the Registrar on that day;
- (7) The provisions of this Act, and of any rules made under this Act with respect to the registration of trade-marks, and all matters relating thereto, shall, subject to the provisions of this section (and notwithstanding anything in any Act relating to the Cutlers' Company), apply to the registration of trade-marks on metal goods by the Cutlers' Company, and to all matters relating thereto; and this Act and any such rules shall, so far as applicable, be construed accordingly with the substitution of the Cutlers' Company, the office of the Cutlers' Company, and the Sheffield register, for the Registrar, the Patent Office, and the Register of Trade-Marks respectively; and notice of every entry, cancellation, or correction made in the Sheffield register shall be given to the Registrar by the Cutlers' Company;
- (8) When the Registrar receives from any person not carrying on business in Hallamshire or within six miles thereof an application for registration of a trade-mark used on metal goods, he shall in the prescribed manner notify the application and proceedings thereon to the Cutlers' Company;
- (9) Any person aggrieved by a decision of the Cutlers' Company in respect of anything done or omitted under this Act may, in the prescribed manner, appeal to the Court;
- (10) For the purposes of this section the expression "metal goods" means all metals, whether wrought, unwrought, or partly wrought, and all goods composed wholly or partly of any metal;
- (11) For the purpose of legal proceedings in relation to trade-marks entered in the Sheffield register a certificate under the hand of the Master of the Cutlers' Company shall have the same effect as the certificate of the Registrar.

Cotton Marks.

64. Cotton marks.]—(1) The Manchester Branch of the Trade-Marks Registry of the Patent Office (hereinafter called "the Manchester Branch") shall be continued according to its present constitution. A chief officer of the Manchester Branch shall be appointed who shall be styled "the Keeper of Cotton Marks," and shall act under the direction of the Registrar. The present keeper of the Manchester Branch shall be the first Keeper of Cotton

(2) As regards cotton goods which have hitherto constituted classes 23, 24, and 25, under the classification of goods under the Patents, Designs, and Trade-Marks Acts, 1883 to 1902, the Register of Trade-Marks for all such goods, except such as may be prescribed, shall be called "the Manchester Register," and a duplicate thereof shall be kept at the Manchester Branch.

(3) All applications for registration of trade-marks for such cotton goods in the said classes (hereinafter referred to as "cotton marks") shall be made to the Manchester Branch.

(4) Every application so made to the Manchester Branch shall be notified to the Registrar in the prescribed manner together with the report of the Keeper of Cotton Marks thereon, and unless the Registrar, after considering the report and hearing, if so required, the applicant, within the prescribed time gives notice to the Keeper of Cotton Marks of objection to the acceptance of the application, it shall be advertised by the Manchester Branch and shall be proceeded with in the prescribed manner.

(5) If the Registrar gives notice of objection as aforesaid the application shall not be proceeded with, but any person aggrieved may in the prescribed manner appeal to the Court or the Board of Trade, at the option of the applicant.

(6) Upon the registration of a trade-mark in the Manchester Register the Keeper of Cotton Marks shall upon notice thereof from the Registrar thereupon enter the mark in the duplicate of the Manchester Register, and such registration shall bear date as of the day of application of the Manchester Branch, and shall have the same effect as if the application had been made to the Registrar on that day.

(7) When any mark is removed from or any cancellation or correction made in the Manchester Register notice thereof shall be given by the Registrar to the Keeper of Cotton Marks, who shall alter the duplicate register accordingly.

(8) For the purpose of all proceedings in relation to trade-marks entered in the Manchester Register a certificate under the hand of the Keeper of Cotton Marks shall have the same effect as a certificate of the Registrar.

(9) In every application for registration of a cotton mark, if such mark has been used by the applicant or his predecessors in business prior to the date of application, the length of time of such user shall be stated on the application.

(10) As from the passing of this Act—

(a) In respect of cotton piece goods and cotton yarn no mark consisting of a word or words alone (whether invented or otherwise) shall be registered, and no word or words shall be deemed to be distinctive in respect of such goods;

(b) In respect of cotton piece goods no mark consisting of a line heading alone shall be registered, and no line heading shall be deemed to be distinctive in respect of such goods;

(c) No registration of a cotton mark shall give any exclusive right to the use of any word, letter, numeral, line heading, or any combination thereof.

(11) The right of inspection of the Manchester Register shall extend to and include the right to inspect all applications whatsoever that have been since the passing of the Trade-Marks Registration Act, 1875 [39 & 40 Vict. c. 33], and hereafter shall have been made to the Manchester Branch in respect of cotton goods in classes 23, 24 and 25, whether registered, refused, lapsed, expired, withdrawn, abandoned, cancelled, or pending.

(12) The Keeper of Cotton Marks shall, on request, and on production of a facsimile of the mark, and on payment of the prescribed fee, issue a certified copy of the application for registration of any cotton mark, setting forth in such certificate the length of time of user (if any) of such mark as stated on the application, and any other particulars he may deem necessary.

(13) As regards any rules or forms affecting cotton marks which are proposed by the Board of Trade to be made, the draft of the same shall be sent to the Keeper of Cotton Marks and also to the Manchester Chamber of Commerce. And the said Keeper, and also the said Chamber, shall, if they or either of them so request, be entitled to be heard

by the Board of Trade upon such proposed rules before the same are carried into effect.

(14) The existing practice whereby the keeper of the Manchester Branch consults the Trade and Merchandise Marks Committee appointed by the Manchester Chamber of Commerce upon questions of novelty or difficulty arising on applications to register cotton marks shall be continued by the Keeper of Cotton Marks.

International and Colonial Arrangements.

65. International and Colonial arrangements.] The provisions of sections one hundred and three and one hundred and four of the Patents, Designs, and Trade-Marks Act, 1883 (as amended by the Patents, Designs, and Trade-Marks (Amendment) Act, 1885 [48 & 49 Vict. c. 63]), relating to the registration of trade-marks both as enacted in such Acts and as applied by any Order in Council made thereunder, shall be construed as applying to trade-marks registrable under this Act.

Offences.

66. Falsification of entries in register.] If any person makes or causes to be made a false entry in the register kept under this Act, or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanour.

67. Penalty on falsely representing a trade-mark as registered.]—(1) Any person who represents a trade-mark as registered which is not so, shall be liable for every offence on summary conviction to a fine not exceeding five pounds.

(2) A person shall be deemed, for the purposes of this enactment, to represent that a trade-mark is registered, if he uses in connection with the trade-mark the word "registered," or any words expressing or implying that registration has been obtained for the trade-mark.

Royal Arms.

68. Unauthorised assumption of Royal Arms.] If any person, without the authority of His Majesty, uses in connection with any trade, business, calling, or profession, the Royal Arms (or arms so closely resembling the same as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised so to use the Royal Arms, or if any person without the authority of His Majesty or of a member of the Royal Family, uses in connection with any trade, business, calling, or profession any device, emblem, or title in such manner as to be calculated to lead to the belief that he is employed by or supplies goods to His Majesty or such member of the Royal Family, he may, at the suit of any person who is authorised to use such arms or such device, emblem, or title, or is authorised by the Lord Chamberlain to take proceedings in that behalf, be restrained by injunction or interdict from continuing so to use the same: Provided that nothing in this section shall be construed as affecting the right, if any, of the proprietor of a trade-mark containing any such arms, device, emblem, or title to continue to use such trade-mark.

Courts.

69. General saving for jurisdiction of courts.] The provisions of this Act conferring a special jurisdiction on the Court as defined by this Act shall not, except so far as the jurisdiction extends, affect the jurisdiction of any court in Scotland or Ireland in any proceedings relating to trade-marks; and with reference to any such proceedings in Scotland the term "the Court" shall mean the Court of Session; and with reference to any such proceedings in Ireland the term "the Court" shall mean the High Court of Justice in Ireland.

70. Isle of Man.]—This Act shall extend to the Isle of Man, and—

(1) Nothing in this Act shall affect the jurisdiction of the Courts in the Isle of Man in proceedings for infringement or in any action or proceeding respecting a trade-mark competent to those courts:

(2) The punishment for a misdemeanor under this Act in the Isle of Man shall be imprisonment for any term not exceeding two years, with or without hard labour and

with or without a fine not exceeding one hundred pounds, at the discretion of the court:

(3) Any offence under this Act committed in the Isle of Man which would in England be punishable on summary conviction may be prosecuted, and any fine in respect thereof recovered at the instance of any person aggrieved, in the manner in which offences punishable on summary conviction may for the time being be prosecuted.

71. Jurisdiction of Lancashire Palatine Court.] The Court of Chancery of the County Palatine of Lancaster shall, with respect to any action or other proceeding in relation to trade-marks, the registration whereof is applied for in the Manchester Branch, have the like jurisdiction under this Act as His Majesty's High Court of Justice in England, and the expression "the Court" in this Act shall be construed and have effect accordingly:

Provided that every decision of the Court of Chancery of the County Palatine of Lancaster in pursuance of this section shall be subject to the like appeal as decisions of that Court in other cases.

72. Offences in Scotland.] In Scotland any offence under this Act declared to be punishable on summary conviction may be prosecuted in the Sheriff Court.

Repeal; Savings.

73. Repeal and saving for rules, &c.] The enactments described in the schedule to this Act are repealed to the extent mentioned in the third column, but this repeal shall not affect any rule, table of fees, or classification of goods made under any enactment so repealed, but every such rule, table of fees, or classification of goods shall continue in force as if made under this Act until superseded by rules, tables of fees, or classification under this Act.

74. Application of 46 & 47 Vict. c. 57, ss. 82-84.] The provisions of sections eighty-two to eighty-four of the Patents, Designs, and Trade-Marks Act, 1883, as amended by any subsequent enactment, shall continue to apply with respect to the administration at the Patent Office of the Law relating to the registration of trade-marks, and shall accordingly be construed as if this Act formed part of that Act.

SCHEDULE.

[Section 73.]

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
46 & 47 Vict. c. 57.	The Patents, Designs, and Trade-Marks Act, 1883.	Sections sixty-two to eighty-one, and, so far as they respectively relate to trade-marks, sections eighty-five to ninety-nine, one hundred and one, one hundred and two, one hundred and five, one hundred and eight, and one hundred and eleven to one hundred and seventeen.
51 & 52 Vict. c. 50.	The Patents, Designs, and Trade-Marks Act, 1888.	Sections eight to twenty, and, so far as they respectively relate to trade-marks, sections twenty-one to twenty-six.

CHAPTER 16.

[Isle of Man (Customs) Act, 1905.]

An Act to amend the Law with respect to Customs Duties in the Isle of Man.

[11th August 1905.]

CHAPTER 17.

[Appropriation Act, 1905.]

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and four and one thousand nine hundred and six, and to appropriate the Supplies granted in this Session of Parliament.

[11th August 1905.]

CHAPTER 18.

[Unemployed Workmen Act, 1905.]

An Act to establish organisation with a view to the provision of Employment or Assistance for Unemployed Workmen in proper cases.

[11th August 1905.]

Be it enacted, &c.:

1. Organisation for London.]—(1) For the purposes of this Act there shall be established, by order of the Local Government Board under this Act, a distress committee of the council of every metropolitan borough in London, consisting partly of members of the borough council and partly of members of the board of guardians of every poor law union wholly or partly within the borough and of persons experienced in the relief of distress, and a central body for the whole of the administrative county of London, consisting partly of members of, and selected by, the distress committees and of members of, and selected by, the London County Council, and partly of persons co-opted to be additional members of the body, and partly, if the order so provides, of persons nominated by the Local Government Board, but the number of the persons so co-opted and nominated shall not exceed one-fourth of the total number of the body, and every such order shall provide that one member at least of the committee or body established by the order shall be a woman.

(2) The distress committee shall make themselves acquainted with the conditions of labour within their area, and when so required by the central body shall receive, inquire into, and discriminate between any applications made to them from persons unemployed:

Provided that a distress committee shall not entertain an application from any person unless they are satisfied that he has resided in London for such period, not being less than twelve months, immediately before the application, as the central body fix as a residential qualification.

(3) If the distress committee are satisfied that any such applicant is honestly desirous of obtaining work, but is temporarily unable to do so from exceptional causes over which he has no control, and consider that his case is capable of more suitable treatment under this Act than under the poor law, they may endeavour to obtain work for the applicant, or, if they think the case is one for treatment by the central body rather than by themselves, refer the case to the central body, but the distress committee shall have no power to provide, or contribute towards the provision of, work for any unemployed person.

(4) The central body shall superintend and, as far as possible, co-ordinate the action of the distress committees, and aid the efforts of those committees by establishing, taking over, or assisting labour exchanges and employment registers, and by the collection of information and otherwise as they think fit.

(5) The central body may, if they think fit, in any case of an unemployed person referred to them by a distress committee, assist that person by aiding the emigration or removal to another area of that person and any of his dependents, or by providing, or contributing towards the provision of, temporary work in such manner as they think best calculated to put him in a position to obtain regular work or other means of supporting himself.

(6) Any expenses of the central body under this Act, and such of the expenses of the distress committees under this Act as are incurred with the consent of the central body, shall be defrayed out of the central fund under the management of the central body, which shall be supplied by voluntary contributions given for the purpose, and by contributions made on the demand of the central body by the council of each metropolitan borough

in proportion to the rateable value of the borough and paid as part of the expenses of the council :

Provided that—

(a) A separate account shall be kept of all sums supplied by contributions made by councils of the metropolitan boroughs, and no expenses except—

(i.) establishment charges of the central body and the distress committees, including the expenses incurred by them in respect of labour exchanges and employment registers and in the collection of information; and

1. the expenses incurred by the central body in aiding the emigration or removal to another area of an unemployed person and any of his dependants; and

(ii.) the expenses incurred by the central body in relation to the acquisition, with the consent of the Local Government Board, of land for the purposes of this Act;

shall be paid out of that account.

(b) No such contribution by a council shall in any year exceed the amount which would be produced by a rate of one halfpenny in the pound calculated on the whole rateable value of the borough, or such higher rate, not exceeding one penny, as the Local Government Board may approve.

(7) The provision of temporary work or other assistance for any person under this Act shall not disentitle him to be registered or to vote as a parliamentary, county, or parochial elector, or as a burgess.

(8) This section shall apply to the City of London as if the City of London were a metropolitan borough, and the mayor, aldermen, and commons of the City of London in common council assembled were the council of the borough, and any contribution required for the purposes of this Act shall be paid out of the consolidated rate, but shall not be reckoned in calculating the amount of the rate for the purpose of any limit on that amount.

(9) The Local Government Board may, upon the application of the council of any borough or district adjoining or near to London, by order, extend the provisions of this section to that borough or district as if the borough or district were a metropolitan borough and were within the administrative county of London, and with such other modifications and adaptations as to the Board may appear necessary.

2. Organisation outside London.—(1) There shall be established by order of the Local Government Board for each municipal borough and urban district with a population, according to the last census for the time being, of not less than fifty thousand, and not being a borough or district to which the provisions of section one of this Act have been extended, a distress committee of the council for the purposes of this Act, with a similar constitution to that of a distress committee in London, and the distress committee so established shall, as regards their borough or district, have the same duties and powers, so far as applicable, as are given by this Act to the distress committees and central body in London.

This provision shall extend to any municipal borough or urban district with a population, according to the last census for the time being of less than fifty thousand but not less than ten thousand, if the council of the borough or district make an application for the purpose to the Local Government Board, and the Board consent.

(2) Subject as aforesaid, the Local Government Board may, on the application of any county or borough or district council, or board of guardians, or, if they think it expedient, without any such application, by order establish for the purposes of this Act in any county or part of a county a central body and distress committees with similar constitutions to those of the central body and distress committees in London, and the body and committees so established shall, subject to any exceptions made by the order, have the same duties and powers as respects their area as are given by this Act to the central body and distress committees respectively in London.

For the purpose of this provision a county borough with a population of less than fifty

thousand shall be deemed to be included in the county in which it is, for the purposes of the Local Government Act, 1888 [51 & 52 Vict. c. 41], deemed to be situated.

(3) Where a central body and distress committees have not been established under this Act for the whole of a county, the council of that county, and, where a distress committee has not been established under this Act for a county borough, the council of that county borough, shall constitute a special committee under this Act, consisting of members of the council, with power to co-opt any persons to be additional members of the committee; but the number of persons so co-opted shall not exceed one-fourth of the total number of the committee.

It shall be the duty of the council, in such a case, through the special committee, to collect information with respect to the conditions of labour within their area by establishing, taking over, or assisting labour exchanges and employment registers, and in such other manner as they think fit, and to supply any such information when required.

Any expenses incurred by a council under this provision shall be paid in the case of a county council out of the county fund as expenses for special or general county purposes, as the circumstances may require, and in the case of a borough council out of the borough fund or borough rate.

(4) Where any order is made under this section as respects any area, the provisions of this Act relating to London shall apply with respect to that area, with such necessary modifications and adaptations as may be made by the order.

3. Temporary provision pending establishment of proper organisation.—

Where at any time a central body and distress committees or a distress committee are about to be established for any area under this Act, any body already established in that area, whether before or after the passing of this Act, for the purpose of dealing with the unemployed, and any special committee under this Act, may, if the Local Government Board think fit, be temporarily constituted by order of that Board a central body or a distress committee, as the case may be, until the establishment in accordance with this Act of a central body and distress committees or of a distress committee for that area.

4. Local Government Board orders and regulations.—

(1) An order of the Local Government Board under this Act establishing a central body or distress committee may provide for the constitution and proceedings of that body or committee, and, in the case of an order establishing a central body, for the incorporation of that body by an appropriate name, and, where any property or liabilities are taken over from any other body, for effecting by virtue of the order the transfer of that property or those liabilities, and also for any matter for which provision may be made by regulations under this Act, and for which it appears desirable to make special provision affecting only the body or committee established by the order.

(2) An order of the Local Government Board under this Act may be varied and revoked by any subsequent order of the Board made under this Act.

(3) The Local Government Board may make regulations for carrying into effect this Act, and may by those regulations, amongst other things, provide—

(a) for regulating, subject to the provisions of this Act, the conditions under which any application may be entertained by a distress committee under this Act and the conditions under which a central body may aid emigration or removal, or provide or contribute towards the provision of work under this Act, and otherwise for regulating the manner in which any duties under this Act are to be performed or powers exercised by any central body or distress committee or special committee under this Act; and

(b) for authorising the establishment, with the consent of the Local Government Board, of farm colonies by a central body established under this Act, and the provision, with the like consent, by such a body of temporary accommodation for persons for whom work upon the land is provided; and

(c) for authorising and regulating the

acquisition by a central body of land by agreement for the purposes of this Act, and the disposal of any land so acquired; and

(d) for the employment of officers and provision of offices, and for enabling any inspector of the Local Government Board to attend the meeting of any body or committee established under this Act; and

(e) for authorising the acceptance of any money or property by a central body established under this Act, and for regulating the administration of any money or property so acquired; and

(f) for the payment of any receipts of a central body to the central fund, and for the apportionment, if necessary, of those receipts between the voluntary contribution account and the rate contribution account of that fund; and

(g) for the audit of the accounts of any central body established under this Act in the same manner and subject to the same provisions as to any matters incidental to the audit or consequential thereon as the accounts of a county council; and

(h) for enforcing the payment of contributions by any councils liable to make such contributions in pursuance of this Act, and for authorising and regulating the borrowing of money by a central body established under this Act; and

(i) for facilitating the co-operation of any body or committee having powers under this Act for any area with any other body or committee, or with any local authority, and the provision of assistance by one such body or committee to another; and

(k) for applying, with the necessary adaptations, to a distress committee having the powers of a central body regulations relating to a central body; and

(l) for the holding of local inquiries by the Local Government Board for the purposes of this Act, and for requiring returns to be made to the Board by any body or committee having powers under this Act; and

(m) for the application for the purposes of this Act, as respects any matters to be dealt with by the regulations, of any provision in any Act of Parliament dealing with the like matters, with any necessary modifications or adaptations.

All regulations made under this Act shall be laid as soon as may be before Parliament.

5. Application to Scotland.—In the application of this Act to Scotland—

(1) "The Local Government Board for Scotland" shall be substituted for "the Local Government Board";

(2) "Royal, parliamentary, or police burgh" shall be substituted for "municipal borough and urban district" and for "borough or district";

(3) "Parish" shall be substituted for "poor law union," "parish council" shall be substituted for "board of guardians," and "town council" shall be substituted for "council of the borough or district" and for "borough or district council";

(4) "Royal, parliamentary, or police burgh with a population, according to the last census for the time being, of less than fifty thousand, but not less than twenty thousand," shall be substituted for "county borough";

(5) References to special county purposes shall not apply;

(6) "Burgh general improvement assessment" or any other assessment leviable in equal proportions on owners and occupiers shall be substituted for "borough fund or borough rate": Provided that any rate under this Act shall not be reckoned in calculating the amount of such assessment for the purpose of any statutory limit on such assessment;

(7) "Inspector" shall include general superintendent and visiting officer;

(8) Sections forty-seven, fifty-two, and fifty-three of the Local Government (Scotland) Act, 1894 [57 & 58 Vict. c. 58], shall be substituted for sections eighty-five, eighty-

CHAPTER 20.

[*Naval Works Act, 1905.*]

An Act to make further provision for the construction of works in the United Kingdom and elsewhere for the purposes of the Royal Navy.

[11th August 1905.]

Be it enacted, &c.:

1. *Issue of money for works mentioned in schedule.*—In addition to any sum authorized to be issued under any other Act, the Treasury shall issue out of the Consolidated Fund or the growing produce thereof such sums, not exceeding in the whole five million eight hundred and thirty-five thousand pounds, as may be required by the Admiralty for defraying the cost of the works specified in the schedule to this Act, subject to the terms and conditions in sections three and five of the Naval Works Act, 1896 [59 & 60 Vict. c. 6], and those sections and section five of the Naval Works Act, 1895 [58 & 59 Vict. c. 35] (which relates to the mode in which money may be raised), shall be construed as if they were herein re-enacted and in terms made applicable to this Act, but in the application of the said section five to the maximum period of the terminable annuities shall be a period not exceeding thirty years from the dates of borrowing, instead of a period not exceeding thirty years from the passing of the Naval Works Act, 1895.

(2) The Bank of England may lend any money which the Treasury are authorized to raise under this Act.

2. *Short title.* This Act may be cited as the Naval Works Act, 1905.

SCHEDULE.

[Section 1]

HEADS OF PROPOSED EXPENDITURE.

Works.	Total Estimated Cost, 1905.	Expenditure to 31st March, 1904.	Estimated Expenditure from 1st April, 1904, to 31st March, 1905.	Estimated Expenditure for the Financial Years 1905-1906 and 1906-1907.	Expected Date of Completion.
1.	2.	3.	4.	5.	6.
<i>(a) Enclosure and Defence of Harbours.</i>					
Gibraltar	£ 1,199,000	£ 1,183,441	£ 5,782	£ 9,777	1905-6
Gibraltar, Commercial Mole ...	669,000	524,031	81,657	63,312	1905-6
Portland	*650,000	596,590	50,296	3,114	1905-6
Dover	3,500,000	1,977,753	309,073	755,000	1908-9
Malta Breakwater	950,000	35,065	20,610	326,000	1909-10
<i>(b) Adapting Naval Ports to present Needs of Fleet.</i>					
Deepening harbours and approaches	†1,360,000	1,100,886	125,162	133,952	1905-6
Keyham Dockyard Extension ...	4,500,000	2,831,229	424,250	768,000	1908-9
Portsmouth Docks	372,502	372,502	—	—	Completed.
Gibraltar Dockyard Extension...	2,809,000	1,740,953	404,247	500,045	1907-8
Hong Kong Dockyard Extension	1,500,000	642,951	240,549	476,000	1907-8
Colombo Dock	159,000	102,560	27,440	29,000	1905-6
Pembroke Jetty, &c.	133,500	92,530	40,225	745	Completed.
Portsmouth, widening Caisson...	40,466	40,466	—	—	Completed.
Haulbowline Improvements ...	62,602	62,602	—	—	Completed.
Chatham Dock	450,000	365,446	68,354	16,200	1905-6
Malta Dockyard Extension ...	1,250,000	478,332	217,661	391,254	1907-8
Bermuda Dockyard Extension ...	600,000	369,758	82,565	138,221	1907-8
Simon's Bay Dockyard Extension, &c.	‡2,500,000	160,201	196,821	864,850	1908-9
Coaling facilities and fuel storage	§1,280,000	432,430	177,951	540,000	1907-8
Chatham Dockyard Extension ...	70,000	4,121	32,579	33,300	1906-7
Sheerness Depot for Torpedo Boat Destroyers.	220,000	9,818	55,282	152,945	1907-8
Naval establishment at Rosyth ..	*200,000	147,719	2,961	49,320	1906-7
<i>(c) Naval Barracks, &c.</i>					
Chatham Naval Barracks ...	500,000	454,998	10,029	34,973	1906-7
Gunnery Schools	470,000	3,923	14,035	250,000	1907-8

* An expenditure of £40,549 was incurred during 1898-4 and 1894-5 in erecting dolphins on the line of the breakwater, and was charged to Navy Vote 10 in those years. This is in addition to the estimate of £280,000.

† Exclusive of the cost of dredging plant purchased prior to 31st March, 1896. Expenditure subsequent to 31st March, 1906, will be charged to Navy Vote 10.

‡ An expenditure of £8,214 was incurred during 1896-7 to 1898-9, on the preliminary survey for this work, and was charged to Navy Vote 10 in those years. This is in addition to the estimate of £2,500,000.

§ Expenditure in excess of £1,280,000 will be charged to Navy Votes (8 and 10).

¶ These figures refer to preliminary works only. Subsequent expenditure will be charged to Navy Votes.

* Includes the item formerly described as "Naval Barracks for Medway Gunnery School."

Works.	Total Estimated Cost, 1905.	Expenditure to 31st March, 1904.	Estimated Expenditure from 1st April, 1904, to 31st March, 1905.	Estimated Expenditure for the Financial Years 1905-1906 and 1906-1907.	Expected Date of Completion.
1.	2.	3.	4.	5.	6.
Portsmouth Naval Barracks ...	£ 751,400	£ 599,138	£ 48,136	£ 104,126	1906-7
Keyham Naval Barracks ...	281,000	199,725	14,465	56,810	1907-8
Chatham Naval Hospital ...	404,000	294,876	63,102	46,022	1906-7
Walmer Marine Depot ...	17,658	17,658	—	—	Completed.
Keyham Engineers' College ...	23,298	23,298	—	—	Completed.
"Britannia" R.N. College ...	425,000	258,572	58,428	108,000	1906-7
Magazines ...	1,335,000	657,727	208,199	297,100	1909-10
Haslar Hospital Extension ...	67,978	67,978	—	—	Completed.
Haulbowline Zymotic Hospital ...	12,856	12,856	—	—	Completed.
Coast Guard Stations and Royal Naval Reserve Batteries	200,000	9,938	79,191	110,871	1906-7
Torpedo ranges ...	*320,000	142	17,958	90,000	1908-9
Electric light and power in Naval establishments.	1,750,000	22,147	292,753	1,030,750	1908-9
(d) <i>Superintendence and Miscellaneous Charges</i>	1,173,673	520,155	105,264	324,593	—
	32,206,933	16,414,515	3,475,025	7,704,280	—
Total of columns 3, 4, and 5	£27,593,820†

* An expenditure of £86 was incurred on this item in 1902-3 and charged to Navy Vote 10. This is in addition to the estimate of £390,000.

† Total estimated expenditure to 31st March 1907 ... £27,593,820

Expenditure already authorized, viz:—

Out of Navy Votes (8 and 10) prior to inclusion of works in Loan Acts ...	£ 241,820
By Act of 1895 (£1,000,000 less £140,000 lapsed) ...	860,000
By Act of 1896 ...	2,750,000
By Act of 1897 ...	654,000
By Act of 1899 ...	3,100,000
By Act of 1901 ...	6,157,000
By Act of 1903 ...	7,986,000
	21,758,920

Further expenditure to be authorised by this Act... £5,835,000

CHAPTER 21.

[Expiring Laws Continuance Act, 1905.]

An Act to continue various Expiring Laws
[11th August 1905.]

Whereas the Acts mentioned in Part I. of the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and five:

And whereas the Act mentioned in Part II. of the Schedule to this Act is, to the extent aforesaid, limited to expire at the end of the session of Parliament next after the thirty-first day of December nineteen hundred and five:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted, &c.:

1. *Continuance of Acts in Schedule.*—(1) The Acts mentioned in the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December nineteen hundred and six, and shall then expire, unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

2. *Short Title.*] This Act may be cited as the Expiring Laws Continuance Act, 1905.

SCHEDULE.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1.) 5 & 6 Will. 4, c. 27 . . .	The Linen Manufactures (Ireland) Act, 1835 . . .	The whole Act . . .	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.
(2.) 3 & 4 Vict. c. 89 . . .	The Poor Rate Exemption Act, 1840 . . .	The whole Act.	—
(3.) 4 & 5 Vict. c. 30 . . .	The Ordnance Survey Act, 1841 . . .	The whole Act . . .	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4.) 10 & 11 Vict. c. 98 . . .	The Ecclesiastical Jurisdiction Act, 1847 . . .	As to the provisions continued by 21 & 22 Vict. c. 50.	—
(5.) 14 & 15 Vict. c. 104 . . .	The Episcopal and Capitular Estates Act, 1851 . . .	The whole Act . . .	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114, s. 10.
(6.) 17 & 18 Vict. c. 102 . . .	The Corrupt Practices Prevention Act, 1854 . . .	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29, s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7.) 23 & 24 Vict. c. 19 . . .	The Labourers (Ireland) Act, 1860 . . .	The whole Act.	—
(8.) 26 & 27 Vict. c. 105 . . .	The Promissory Notes Act, 1863 . . .	The whole Act . . .	45 & 46 Vict. c. 61.
(9.) 27 & 28 Vict. c. 20 . . .	The Promissory Notes (Ireland) Act, 1864 . . .	The whole Act.	—
(10.) 28 & 29 Vict. c. 46 . . .	The Militia (Ballot Suspension) Act, 1865 . . .	The whole Act . . .	45 & 46 Vict. c. 49.
(11.) 28 & 29 Vict. c. 83 . . .	The Locomotives Act, 1865 . . .	The whole Act . . .	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77 (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29.
(12.) 29 & 30 Vict. c. 52 . . .	The Prosecutions Expenses Act, 1866 . . .	The whole Act.	—

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(13.) 31 & 32 Vict. c. 125 . . .	The Parliamentary Elections Act, 1868	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(14.) 32 & 33 Vict. c. 21 . . .	The Corrupt Practices Commission Expenses Act, 1869	The whole Act	34 & 35 Vict. c. 61.
(15.) 32 & 33 Vict. c. 56 . . .	The Endowed Schools Act, 1869	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40.
(16.) 33 & 34 Vict. c. 112 . . .	The Glebe Loan (Ireland) Act, 1870	The whole Act	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(17.) 34 & 35 Vict. c. 87 . . .	The Sunday Observation Prosecution Act, 1871	The whole Act.	—
(18.) 35 & 36 Vict. c. 33 . . .	The Ballot Act, 1872	The whole Act	45 & 46 Vict. c. 50. (Municipal Elections.)
(19.) 38 & 39 Vict. c. 84 . . .	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act	46 & 47 Vict. c. 51, s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(20.) 39 & 40 Vict. c. 21 . . .	The Jurors Qualification (Ireland) Act, 1876	The whole Act	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37, s. 69.
(21.) 41 & 42 Vict. c. 41 . . .	The Parliamentary Elections Returning Officers Ex- penses (Scotland) Act, 1878.	The whole Act	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(22.) 41 & 42 Vict. c. 72 . . .	The Sale of Liquors on Sunday (Ireland) Act, 1878	The whole Act.	—
(23.) 43 Vict. c. 18	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act	46 & 47 Vict. c. 51.
(24.) 43 & 44 Vict. c. 42 . . .	The Employers' Liability Act, 1880	The whole Act.	—
(25.) 44 & 45 Vict. c. 5	The Peace Preservation (Ireland) Act, 1881	The whole Act	49 & 50 Vict. c. 24. 50 & 51 Vict. c. 20.
(26.) 46 & 47 Vict. c. 51 . . .	The Corrupt and Illegal Practices Prevention Act, 1883	The whole Act	58 & 59 Vict. c. 40.
(27.) 46 & 47 Vict. c. 60 . . .	The Labourers (Ireland) Act, 1883	The whole Act	48 & 49 Vict. c. 77. 49 & 50 Vict. c. 59. 54 & 55 Vict. c. 48. 54 & 55 Vict. c. 71. 55 & 56 Vict. c. 7. 59 & 60 Vict. c. 53. 61 & 62 Vict. c. 37. 3 Edw. 7. c. 37 (Part IV.)
(28.) 47 & 48 Vict. c. 70 . . .	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act	56 & 57 Vict. c. 73.
(29.) 49 & 50 Vict. c. 29 . . .	The Crofters Holdings (Scotland) Act, 1886	As to the powers of the Com- missioners for the enlarge- ment of holdings, s. 22.	50 & 51 Vict. c. 24. 51 & 52 Vict. c. 63. 54 & 55 Vict. c. 41.
(30.) 51 & 52 Vict. c. 55 . . .	The Sand Grouse Protection Act, 1888	The whole Act.	—
(31.) 52 & 53 Vict. c. 40 . . .	The Welsh Intermediate Education Act, 1889	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(32.) 58 & 59 Vict. c. 21 . . .	The Seal Fisheries (North Pacific) Act, 1895	The whole Act.	—
(33.) 59 Vict. c. 1	The Local Government (Elections) Act, 1896	The whole Act.	—
(34.) 59 & 60 Vict. c. 48 . . .	The Light Railways Act, 1896	As to the powers of the Light Railway Commissioners.	—
(35.) 61 & 62 Vict. c. 49 . . .	The Vaccination Act, 1898	The whole Act.	—

PART II.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
57 & 58 Vict. c. 12 . . .	The Indian Railways Act, 1894	The whole Act.	—

CHAPTER 22.

[Public Works Loans Act, 1905.]

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [11th August 1905.]

Be it enacted, &c.:

1. *Appointment of Public Works Loan Commissioners for five years.*] Whereas the term of office of persons who are, at the passing of this Act, Public Works Loan Commissioners under the Public Works Loans Act, 1875 [38 & 39 Vict. c. 89], will expire at the end of a period of five years from the first day of April nineteen hundred and one, and it is expedient to appoint Commissioners for a further period of five years; therefore the following persons (that is to say):—

Sir Herbert Barnard,
Edward Norman, Esquire,
Samuel Stuart Gladstone, Esquire,
The Honourable Herbert Cockayne Gibbs,
Sir Edward Birkbeck, Baronet,
His Honour Judge O'Connor, K.C.,
The Honourable Sir Charles William Fremantle, K.C.B.,
The Honourable Evelyn Hubbard,
Francis William Buxton, Esquire,
Edward Henry Loyd, Esquire,
Frederick Greene, Esquire,
Colonel Amelius Richard Mark Lockwood, M.P.,
The Right Honourable Lord Hillingdon,
The Honourable James Henry Cecil Hozier, M.P.,
David Lloyd-George, Esquire, M.P.,
William Douro Hoare, Esquire,
Robert Lydston Newman, Esquire,
The Right Honourable the Earl of Chichester,

shall after the passing of this Act be the Public Works Loan Commissioners under the Public Works Loans Act, 1875, and shall hold office until the expiration of five years from the first day of April nineteen hundred and six.

2. *Grants for public works.*]—(1) For the purpose of local loans there may be issued by the National Debt Commissioners the following sums, namely:—

(a) For the purpose of loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of four million five hundred thousand pounds;

(b) For the purpose of loans by the Commissioners of Public Works in Ireland any sum or sums not exceeding in the whole the sum of nine hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1897 [50 & 51 Vict. c. 16].

3. *Consolidation of loans to London School Board transferred to London County Council.*] Whereas by the Education (London) Act, 1903 [5 Edw. 7, c. 24], there has been transferred to the London County

Council the liability for the repayment to the Public Works Loan Commissioners of all loans advanced by the Commissioners for the repayment whereof the London School Board were prior to the transfer liable:

And whereas a large proportion of those loans bear interest at the rate of three pounds ten shillings per cent. per annum, and are by the terms of the borrowing repayable by equal yearly or half-yearly instalments of principal or of principal and interest combined within periods which will expire at various dates in or between the years nineteen hundred and eight and nineteen hundred and twenty-nine:

And whereas the Commissioners and the London County Council desire to enter into such an agreement with respect to the repayment of the said loans as is herein-after mentioned, and it is expedient that they should be authorised to do so

Therefore it shall be lawful for the Commissioners and the London County Council to enter into an agreement whereby the outstanding balances of such of the said loans as bear interest at three pounds ten shillings per cent. per annum shall be made repayable with interest at the rate aforesaid by equal yearly or half-yearly instalments within a period expiring on the thirty-first day of March nineteen hundred and twenty-six, and such an agreement shall have effect accordingly, notwithstanding anything contained in any Act, order, or sanction relating to the lending or borrowing of such loans, or any of them.

4. *Certain debts not to be reckoned as assets of local loans fund.*] Whereas it is expedient that the principal of the several local loans specified in the schedule to this Act should, to the extent specified in the last column of that schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore, the principal of the said loans shall to that extent be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

5. *Short title.*] This Act may be cited as the Public Works Loans Act, 1905.

SCHEDULE.

PART I.

[Section 4.]

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS, IRELAND.

(1) LOANS UNDER THE DRAINAGE (IRELAND) ACT, 1842 (5 & 6 Vict. c. 89).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
F. Spellissey . . .	50 18 6	3 2 6
Rochford Boyd . . .	98 1 2	1 11 0
T. Cox . . .	110 11 8	14 2 0
M. Ryan . . .	548 7 8	4 4 5

(2) LOANS UNDER THE DRAINAGE MAINTENANCE ACT, 1866 (29 & 30 Vict. c. 49).

	Amount of Loan.	Amount to be written off.
	£ s. d.	£ s. d.
Sundry small balances irrecoverable	2 12 6	0 8 1

PART II.

LOANS BY THE FISHERY BOARD FOR SCOTLAND.
LOANS UNDER THE CROFTERS' HOLDINGS (SCOTLAND) ACT, 1886 (49 & 50 Vict. c. 29).

Name of Borrower.	Fishery District.	Amount of Loan.	Amount to be written off.
		£	£ s. d.
John McDonald	Stornoway	117	1 19 3
Malcolm McKenzie	Stornoway	184	28 13 4
Malcolm McKenzie, junr.			
Roderick McKenzie			
Robert McKenzie, Alex. McKenzie, and Malcolm McDonald			
William Sinclair	Helmsdale	60	3 4 8

CHAPTER 23.

[Provisional Order (Marriages) Act, 1905.]

An Act to enable Provisional Orders to be made for removing any invalidity or doubt attaching to Marriages by reason of some informality. [11th August 1905.]

Be it enacted, &c.:

1. *Provisionally orders for removing doubts as to validity of marriages.*]—(1) A Secretary of State may, in the case of marriages solemnised in England which appear to him to be invalid or of doubtful validity by reason of some informality, make a provisional order for the purpose of removing the invalidity or doubt.

(2) The draft of every such order shall be advertised in such manner as the Secretary of State thinks fit not less than one month before the order is made, and the Secretary of State shall consider all objections to the order sent to him in writing during that month, and shall, if it appears to him necessary, direct a local inquiry into the validity of any such objections.

(3) An order of the Secretary of State under this Act shall be of no force unless confirmed by Parliament, and the Secretary of State may bring in a Bill for confirming the order; and if while a Bill confirming any such order is pending in either House of Parliament a petition is presented against the order, the Bill, so far as it relates to the order, may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.

2. *Short title.*] This Act may be cited as the Provisional Order (Marriages) Act, 1905.

INDEX TO STATUTES.

5 EDWARD 7.—A.D. 1905.

NOTE.—The capital letters placed after the chapter have the following signification :—E., that the Act relates to England (and Wales, if it so extend); S., to Scotland exclusively; I., to Ireland exclusively; U.K., to Great Britain and Ireland (and Colonies, if it so extend); Ind., to India specially; C., to the Colonies specially, or any of them.

AGRICULTURAL RATES ACT, 1896, &C. CONTINUANCE; to extend the Agricultural Rates Act, 1896, &c., Continuance Act, 1901. Ch. 8. E. & S. p. 8.

ALIENS; to amend the Law with regard to Aliens. Ch. 13. U.K. p. 5.

ARMY (ANNUAL); to provide, during twelve months, for the Discipline and Regulation of the Army. Ch. 2. U.K. p. 1.

CHURCHES (SCOTLAND); to provide for the Settlement of Certain Questions between the Free Church and the United Free Church in Scotland, and to make certain amendments of the law with respect to the Church of Scotland. Ch. 12. S. p. 4.

COAL MINES (WEIGHING OF MINERALS); to amend the provisions of the Coal Mines Regulation Act, 1887, which relate to the Weighing of Minerals. Ch. 9. U.K. p. 3.

CONSOLIDATED FUND:

No. 1:

— to apply certain sums out of the Consolidated Fund to the service of the years ending on the 31st March, 1905 and 1906. Ch. 1. U.K.

No. 2:

— to apply a sum out of the Consolidated Fund to the service of the year ending on the 31st March, 1906. Ch. 6. U.K.

APPROPRIATION:

— to apply certain sums out of the Consolidated Fund to the service of the years

ending on the 31st March, 1904 and 1906, and to appropriate the supplies granted in this Session of Parliament. Ch. 17. U.K.

EAST INDIA LOANS (RAILWAYS); to empower the Secretary of State in Council of India to raise money in the United Kingdom for the construction, extension, and equipment of railways in India, by State Agency, or through the Agency of Companies, and for other purposes. Ch. 19. U.K. p. 13.

EXPIRING LAWS CONTINUANCE; to continue various Expiring Laws. Ch. 21. U.K. p. 14.

FINANCE; to grant certain Duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue and the National Debt, and to make other provisions for the financial arrangements of the year. Ch. 4. U.K. p. 1.

ISLE OF MAN (CUSTOMS); to amend the Law with respect to Customs Duties in the Isle of Man. Ch. 16. E. p. 11.

LICENSING (IRELAND); to amend the Law as to the Hours of Closing of Licensed Premises on Christmas Day in Ireland. Ch. 3. I.

MEDICAL ACT (1886) AMENDMENT; to amend the Medical Act, 1886. Ch. 14. U.K. p. 6.

MR. SPEAKER'S RETIREMENT; to settle and secure an Annuity upon the Right Honourable William Court Gully in consideration of his eminent Services. Ch. 5. U.K. p. 2.

NAVAL WORKS; to make further provision for the construction of Works in the United Kingdom and elsewhere for the purposes of the Royal Navy. Ch. 20. U.K. p. 13.

PROVISIONAL ORDER (MARRIAGES); to enable Provisional Orders to be made for removing any invalidity or doubt attaching to Marriages by reason of some informality. Ch. 23. E. p. 16.

PUBLIC WORKS LOANS; to grant money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. Ch. 22. U.K. p. 16.

RAILWAY FIRES; to give Compensation for Damage by Fires caused by Sparks or Cinders from Railway Engines. Ch. 11. U.K. p. 4.

SHIPOWNERS' NEGLIGENCE (REMEDIES); to enlarge the Remedies of Persons injured by the negligence of Shipowners. Ch. 10. U.K. p. 3.

TRADE-MARKS; to consolidate and amend the Law relating to Trade-Marks. Ch. 15. U.K. p. 7.

UNEMPLOYED WORKMEN; to establish organisation with a view to the provision of Employment or Assistance for Unemployed Workmen in proper cases. Ch. 18. U.K. p. 11.

WAR STORES (COMMISSION); to facilitate the proceedings of the Commissioners appointed to hold an Investigation respecting War Stores in South Africa. Ch. 7. U.K. p. 2.

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